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THE CHINESE

AND THE

CHINESE QUESTION

BY

JAMES A. WHITNEY, LL.D.

COUNSELLOR-AT-LAW

SECOND EDITION

NEW YORK

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PREFATORY NOTE.

THE pages following are devoted to a subject second to none in political importance; one upon the determination of which the ultimate destiny of our country and of our people must depend. The events of the eight years that have elapsed since the publication of the first edition have but confirmed the views expressed in the latter, and have afforded additional proof in abundance of the soundness of the conclusions set forth therein.

Although, for convenience, it has been preferred to divide the volume into chapters, the work as a whole, relating to the Chinese question in its broad and varied phases, is composed of substantially four parts, each framed in the double aspect of illustrating in detail the branch to which it especially relates and the essential connection of that branch with the subject at large: thus, from page 1 to page 72 relates to the Chinese, their work, institutions, and character as a people, and their place and influence in former times among the nations and races of the earth; from page 72 to page 107, to their modern relations with the nations of the West; from page 107 to page 141 to their advent and presence in our own country; and from page 141 *et seq.*, to the methods dictated by policy and law for their elimination from our domain.

The author may say here what he said in the preface to the first edition, that in urging his convictions concerning Chinese immigration, he speaks from no immature judgment and expresses no hastily formed opinion. His atten-

tion was first called to the subject during a visit to the Pacific Coast eighteen years ago, and from that time to the present it has been to him a matter of no inconsiderable investigation and reflection. It is perhaps needless to remark that these pages would not have been presented to public notice, had he not carefully verified his statements and were he not fully convinced as to what deductions must inevitably be drawn from established facts.

140 Nassau Street,
NEW YORK CITY; September, 1888.

CONTENTS.

CHAPTER		PAGE
I.	Antiquity, solidarity, and racial persistence of the Chinese,	1
II.	Isolated evolution of China in Industries and Arts,	11
III.	The traditions of China and the ideas of the West,	19
IV.	Chinese origin of prime factors in emergence of Europe from barbarism,	24
V.	Influence of the thought of China on the intellectual development of the West,	30
VI.	Intensity and symmetry of the Chinese mind,	34
VII.	Racial proclivities of the Chinese and physical conditions under which they have developed,	40
VIII.	China but midway in her career,	44
IX.	Combined intellectual strength and savagery of the Chinese,	49
X.	Vicious elements inherent in, but not impairing strength of, Chinese character,	54
XI.	Social and administrative sagacity of the Chinese,	58
XII.	Physical nature of the Chinese,	63
XIII.	Severity of conditions of life in China,	66
XIV.	Origin of modern relations between the Caucasian and the Chinese,	72
XV.	Immediate results of interference with affairs of China—British trade and Tae-ping revolt,	81
XVI.	Wanton aggressions of foreigners upon the government and people of China—our national share in the iniquity,	87
XVII.	Danger to China from industrial methods of the West,	91

CHAPTER		PAGE
XVIII.	American claims against China, - -	94
XIX.	Unjustifiable interference of foreigners with local and domestic affairs in China, - -	97
XX.	Military strength of China—our foreign policy with regard to her, - - -	102
XXI.	Inception and progress of Chinese immigration to the Pacific Coast, - - - -	107
XXII.	Injurious effects of Chinese immigration in California, - - - - -	111
XXIII.	True status of Chinese labor in this country, -	116
XXIV.	Chinese cheap labor on the Pacific coast affects industries even to the Atlantic seaboard, -	122
XXV.	Chinese immigration is but in its infancy unless promptly stopped by legislation vigorously carried into effect, - - - -	125
XXVI.	Our producing classes can bear no greater competition from cheap labor than that from Caucasian sources. The Italian and the Hun, - - - - - -	131
XXVII.	The Chinese *versus* the emancipated negro of the South - - - - -	135
XXVIII.	Persistent and increasing inflow of Chinese to all available regions, - - - -	137
XXIX.	Chinese immigration should be stopped and the Chinese element eliminated from our population, - - - - - -	141
XXX.	Our treaty relations with China, their legal bearing and effect; right and necessity of abrogating our conventions with the Chinese government, - - - - -	145
XXXI.	The Chinese, the favored nation clause, and the Federal courts, - - - -	157
XXXII.	Heed should be given to public opinion of the Pacific coast, adverse to the presence of the Chinese, - - - - -	164
XXXIII.	*Analysis* of the Burlingame treaty, - -	167

CHAPTER PAGE

XXXIV. China has herself failed to fulfil treaty conditions, and the Burlingame treaty on accepted principles is voidable thereby, - - - 192

XXXV. Inception of the Burlingame treaty; its ratification and attendant circumstances, - - 175

XXXVI. The Burlingame treaty gave a forced stimulus to Chinese immigration; the beneficiaries thereof - - - - - 179

XXXVII. Measures requisite to meet and suppress the invasion of the Chinese, - - - - 182

XXXVIII. *Quasi* sentimentality and inaccurate averments of pro-Chinese advocacy, - - - 188

XXXIX. One course, and one only, can stay the eastward migration of the Yellow race, and its gradual conquest of the land, - - - - 196

THE CHINESE, AND THE CHINESE QUESTION.

I.

ANTIQUITY, SOLIDARITY, AND RACIAL PERSISTENCE OF THE CHINESE.

THE Chinese problem is not merely a question of temporary disturbance to a single community. It is one of the migration of races; of the overflow of redundant populations upon comparatively unsettled regions. In its political, social, industrial and commercial bearings upon the future of our country it is of broader import than any other that has ever engaged the attention of the American people. Its proper consideration calls for the laborious examination of many facts, and for a careful investigation of their numerous and complex relations. And it requires that investigations be made, and that deductions be drawn, with the calmness of judicial impartiality. In this, as in every other matter of broad international concern, the narrow pathway of truth is that which leads to safety, and truth is gained only by taking facts without disguise and treating them without prejudice. My own studies have convinced me that Chinese immigration is full of danger to our country, to our institutions, and to our people. My reasons for this will be given in due course in these pages, and it will be seen that they are based, not upon unreflecting hostility to any race, but upon proofs that we have opened to a colossal people the opportunity for limitless

aggrandizement at our expense, and that we have done this with a recklessness that could only be equalled by one who, dwelling on lands below the level of the sea, should break down the dykes that hold the impending waves. And if it shall seem that I lay too much stress upon the historical development of China, her industries, her laws, her customs, the character of her people, the degree of her civilization, and her relative strength among the nations, remember that in a subject so wide and so deep, we shall be most content with our conclusions if we deduce them, not from merely proximate data, but from those that are original and undeniable, even if remote.

For it is only through the study of the past of China that one may form a clear conception of the present character and tendencies of her people. And this conception, when gained, must constitute the basis of all accurate perception of her future relations with the outside world. A population comprising substantially one-half of the human race, of a mental, moral and physical type indigenous to the soil, unmodified by external influences and intensified by isolation and successive repetition through tens of centuries, must, in the nature of things, possess an inertia peculiarly its own. The future direction of this can only be foreseen from a knowledge of its line of movement in former times. The slow but progressive development of China has produced a civilization in which the low level of moral and physical life incident to debased and enslaved races is strangely combined with an intellectual vigor that, in all the requirements and vicissitudes of a complex social and political system, has proved itself equal to the promotion of learning and the extension of arts, and to the elaboration of methods and traditions of state-craft not inferior to those that have controlled the policy of European countries and of our own. To understand this, and the logical outcome thereof, is manifestly the first step *to a proper* appreciation of the conditions of the conflict,

peaceful or otherwise, impending between the Turanian and the Aryan races. And such an understanding is best gained by the laborious but fruitful process of tracing the development of China through its salient causes and more noticeable results from the time when offshoots of unlettered tribes crept downward from the Altaic mountains to find homes on the marshy borders of the Hoang-Ho.

China is, for the most part, a fertile plain or basin bounded on the east by the Pacific, on all other sides by elevated and comparatively barren plateaus and ranges of lofty mountains. It is watered by two great rivers, the Yellow or Hoang-Ho, and the Blue or Yang-tse-Kiang, and their tributaries, which, traced upon the map, show the whole country to be veined with the means of internal commerce, and fertile with alluvium from the slow subsidence of waters. It was in regions adjacent to these rivers that the Scythian progenitors of the present population formed in early settlements, the origin of which is lost in the mists of legendary and mythical traditions. The first authentic period of Chinese history begins with the introduction of arts and sciences among a people long settled in the land; and ages of gradual development must have preceded this. The Yellow River is dyked along its length to prevent its floods from overwhelming the adjoining lands, and its bed is thirty feet above the level of the surrounding country—this elevation having been caused by the gradual deposition of earthy material from the heavily-laden waters. Assuming, although in the nature of things it can be only an assumption, that this deposit has been in the same ratio as that laid upon the valley of Egypt by the inundations of the Nile—four inches in a century—it is easy to infer how long a period may have elapsed since the artificial banks were first raised by a sedentary people to protect their fields from injurious overflow. It is, however, unnecessary to resort to inference. The annals of China, judged by the same standard

of criticism applied to those of other countries, disclose clear evidences of substantial accuracy. The era adopted by de Guignes, and based upon his investigation of the Chinese records, may be taken as not far out of the way, and this places the accession of Fo-hi, the first emperor, as B. C. 2953. This was the period in which the character of the race began to harden into permanent form, and the institutions which illustrate if they have not caused its permanence, began to have the force of organic laws.

It is as difficult for the mind to grasp the full measure of four thousand eight hundred years as it is for the eye to conceive the distance to the far horizon. In either it is necessary that the thought dwell on standards of comparison, placed at wide intervals, before any adequate conception can be had. The era of Fo-hi was less than a century and a half after the Deluge, according to the date of the latter as fixed by the best biblical scholars. It was more than two hundred years earlier than the era of Menes, the first ruler of Egypt; it was more than four hundred years earlier than the historical inception of Babylonian power as unfolded from the study of the cuneiform inscriptions, and five hundred earlier than the foundation of the city that Nimrod built. Twelve hundred and fifty years were yet to come and go before the shepherd kings should enter the valley of the Nile to drive the Cushite from the throne of Memphis; fifteen hundred years before Joshua, amid the hail of Bethhoron, should smite the kings of the Amorites and cleave open the mountain pass that led to the promised land; and seventeen hundred before the Phenicians should lay the first stones of their capital by the fishing huts of Tyre. It was one thousand seven hundred and fifty years before the siege of Troy; it was a thousand and nine hundred and fifty years before the offerings of Solomon blazed on the altar of Gibeon; it was two thousand years before the appearance of the Hellenes in Thessaly. China had already a history of twenty-one centuries when Dido

founded Carthage. Her empire had endured two thousand two hundred years when Israel mourned beside the willows of Babylon, and more than two thousand five hundred years when Greece rejoiced in the issue of the battle of Marathon. Gaze through the retrospective vista as we may, it is difficult indeed for the intellect to arrive at a full conception of the reach and significance of the mighty lapse of time embraced by Chinese history—the history of a single race. For those who till the fields of China to this day sprang from the loins of those who founded the empire and who may well have gone up from the slopes of Shen-si to join, at Babel, their liquid tones with the clamor of ruder tongues. Race has followed race, and old races have mingled to form the nations of the earth anew in every land but one—that between the Himalayas and the Yellow Sea. In that there has been no change save by the normal development of native faculties and the progress of original tendencies acted upon by the unchanging agencies of soil and climate, and fixed by the utter absence of fusion or admixture with races of different mold.

If there had existed, from the beginning of time, no other people on the face of the earth, the character of the Chinese would scarcely have been different from what it is. They separated from the world in an infancy whose speech was in monosyllables, and which, as we shall see, had not yet learned the use of the crudest of the implements of the laborer's toil. In their daily converse and avocations still are used words that were syllabled in the childhood of humanity and symbols drawn from natural objects before mankind had learned to resolve articulate speech into its component sounds.

According to prehistoric legends the Chinese, before the invention of letters, kept their records by means of knotted cords corresponding to the *quippus* of the Peruvians. Their alphabet, if such a term can be properly applied in such connection, was heterogenetic and formed of pictorial

representations of natural objects, bearing in this regard a close resemblance to the word-symbols of the Mexicans. Their historians assert that the earliest use of emblematic signs was suggested by bird tracks in the snow, and it is easy to understand how a representation of such a track would indicate to the eye and understanding a definite idea. A circle is the symbol of the sun, a crescent that of the moon, and man is represented by a single upright stroke with divergent lines for the extremities. A tree is indicated by its minute representation; and by a natural step, the representation of two trees indicates a thicket, of three, a forest. The most common objects being thus denoted by primal emblems, the more complex relation of things were represented by adjuncts to, and modifications of, the unitary signs, some of the compound characters comprising, it is said, no less than seventy distinct strokes or marks in their structure. By a gradual and natural development the pictorial signs passed into the character of abstract symbols, these to united or compound characters—in which, however, the unitary sign was always included—the character, by a normal expansion, becoming finally, in a great measure, arbitrary, so that its present meaning, although traceable in some shape to the primitive device from which it sprang, is often far remote from its source. The primal signs are termed *Tsi-Moo* or "mother characters," by reason of the broods they have brought forth. The *Tsi-Moo* for wood enters into the structure of no less than twelve hundred and thirty-two derivative or compound characters; that—*soi*—for water into thirteen hundred and thirty-three; that—*tchou*—for grass or herbage, or generally for vegetation, into fourteen hundred and twenty-three; that—*shoo*—for the hand, into more than a thousand, and that for the heart, which by an odd phonetic coincidence with the theological ideas of the outside barbarian is termed *sin*, into nine hundred and eighty-three. Silk is taken as [illegible] representative of all things soft in texture or

delicate in kind, and its sign—*see*—enters into upwards of six hundred and seventy derivative written words, and *Te-hok*, the bamboo, into about as many. The practical working portion, as it may be termed, of the language comprises about thirty of the root words or mother characters, which enter into the structure of about twenty thousand compound characters or about one-half of those in the language. The whole of the remaining root signs enter into the structure of the other half and constitute, as it were, a broad fringe to the substantial fabric of the language. If we can imagine an acorn, the only one of its species, springing into spontaneous life in favoring soil and growing to the fullness of strength and verdure, unincumbered by ingraft from any other stock and unchanged by alien tillage, we would have a fit parallel of the origin, growth, and nature of Chinese. It is with the language as with the race, a normal, segregated growth, through the slow unfolding of centuries, unmodified and uninfluenced by the outside world.

With a language so symmetrically a unit in itself, a like unity of literature has resulted. As there is, further on, occasion to remark, the intellect of China appears to have kindled, to some degree, the intellect of the West ; but her literature was of an origin too remote to have permitted the converse. Five hundred years or more before the Christian era the literature of China, in proportion to the then existing limits of human knowledge, appears to have more than equalled in volume and variety that of the most advanced of modern nations at the present day. It was from a collection of three thousand odes that Confucius selected those which, under the title of *She-king*, he transmitted to posterity as the *summum bonum* of Chinese letters. It was from a similar plethora of materials that he complied the *Le-ke* or ceremonial code, and the *Shoo-king*, the history of the first three dynasties of the empire. Upon the framework so formed from the accumulations of a

then antiquity, succeeding generations fashioned their work. In the course of thirteen centuries the formulas of literary elegance possible within the resources of the language had become exhausted. In the eighth century of the Christian era the golden age of letters had arrived. Upon observance of the canons then formulated, all subsequent elegance depended. In style and form the Chinese scholar of to-day follows the models of a thousand years ago, and instead of seeking to enrich his pages with thoughts original with himself, or with flights of fancy of his own, he garners into them the excelling phrases of the masters of ancient days. His thoughts are their thoughts, and their thoughts sprang in lineal descent from those of their forefathers, the first children of the soil: and the intellectual type of the race is as fixed, as permanent and unchanging as is the physical type inbred, generation after generation, from the beginning.

As with the intellectual, so with the sentimental elements of the Chinese character. The Chinese were the first to learn and appreciate the concord of sweet sounds, and the Spanish mandolin to this day preserves in its semi-ovoid shell the contour of the divided gourd upon which were first strained the strings of its Chinese prototype. But that which is soft and pleasing to the Chinese ear is discord without mitigation in the hearing of the people of the West; while, conversely, the music of the latter is unpleasing to the Chinese. The sense which is gratified with the measured recurrence of cadenced sounds has been developed along a line so divergent from that of other races that the ear attuned to the harmony of the one is wholly deaf to that of the other. The vibrations that afford pleasure to the brain of the one give only annoyance to that of the other. The Chinese trace the origin of their musical instruments to the days of *Fo-hi*, and in the joy of the lute or the exultation of the drum their sensations are those of the earliest of the race, untaught by an alien idea, unchanged by a foreign emotion.

The laws of a people spring from their interests, which are defined by the intellect, and from their social sentiments, which spring from the heart. The laws of China, like its language, were evolved from the needs of the people, and, like the language, have grown symmetrically from few and simple roots native to the soil and springing from the simplest attributes of human nature, into a network of rules and regulations which govern every relation of life, but which, despite their complexity, may be traced back to their primal stems as readily as the fibers of a palm may be traced from the fronds at its summit to the strings at its root. So also with religion, which is but a higher and nobler name for law in the highest and best sense of the term. The element of Chinese faith which no vicissitude has ever shaken, and which has withstood the siege of every alien creed—the worship of ancestors—is one derived from the most primitive condition of mankind, that in which the will of the father of the family was its supremest law, his wisdom the highest guide, and his translation to another world but the evidence of higher attributes and greater power; and to-day the soul of the Chinaman is cradled in the same simple faith that guided the devotions of the first children of his race.

Solidarity and unity are, therefore, the attributes of China and its people, solidarity and unity in physical character, in language, in literature, in laws, in the structure of society, in the foundation principle of religion; and in usages and customs, for these are part and parcel of law and religion, and in family character, for this follows inevitably where, through hundreds of generations, there has been no admixture of alien blood. But to every element of this fixed and ingrained character are limits apparently impassable, limits that are unknown to the more free and ethereal spirit of the Caucasian peoples. What is termed fixity of type by modern scientists finds its strongest illustration in the Chinese. Assuming the teachings of physiologists to

have substantial foundation in truth, if the whole population of civilized Europe were mingled and merged with the population of China in the close ties of the marriage relation, the last traces of the Caucasian type would in a few generations vanish from the face of the earth. The blood of the complex and refined races would disappear in that of the simple and unitary race, under the same law through which, in all the animal kingdom, a derivative from the union of a complex and of a simple type tends constantly to return to the simpler and ruder of those from which it sprang.

The first settled of the provinces of China was Shen-si, which lies nearest the mountain fastnesses from which the earliest of the race emerged to cultivate the regions below. They spread in scattered settlements that gradually broadened and touched and coalesced. They repelled the Tartar to the north ; they drove the rival tribes southward and westward from the irrigable lands. Slow, laborious, and patient, obedient with a superstitious obedience to the elders whose age gave them experience and made them conservative, they invented for each difficulty only a remedy that met its sharpest detriment and rested content without thought or care for more. In all things every advance from the very outset was self-evolved, sprang from some cause ingrained and inherent in the race itself and its conditions of existence ; and each in its time and place, instead of revolutionizing, intensified and perpetuated the character that gave it birth. It is not without utility that we may thus trace the development of this peculiar race and note the fixedness of the mental, moral, and physical type, the fixedness of social and political institutions, due to a strong but coarse racial individuality at the outset, and an environment that, supplying all physical needs, left that individuality to work out its tendencies without hindrance or modification.

II.

ISOLATED EVOLUTION OF CHINA IN INDUSTRIES AND ARTS.

As with the general attributes of the race, so also with the minor elements embraced in its industries and the ordinary pursuits of its daily life.

Nothing affords more facile proof of the common origin of races, now remote from each other, than does the identity of the terms applied to the necessaries of life, and the similarity of the rude implements by which the simple operations of industry are performed. The former has shown the primal unity of Sanscrit and Zend, and traced to its farthest source the origin of the Aryan peoples; the latter shows that the arts of craftsmen had reached a certain excellence before the European parted company with the natives of India. But by neither of these clues can any connection be traced between China and other lands. The language, even in its simplest roots, has no analogue; and the implements of industry have characteristic forms that demonstrate their origin to be distinct. The anvil of the Chinese smith is not flat like the anvils of other countries, but convex on its face or working surface, and the bellows of a Chinese forge, instead of moving vertically, has a horizontal stroke. The paper of the Chinese is thin and weak, is printed on one side only, but doubled to present a folded edge at the rim of the leaf and a printed surface on each side. The chain-pump of China has a square barrel, that of other lands is cylindric. Brass is made elsewhere by melting together copper and zinc in a crucible; in China by suspending thin sheets of copper, heated almost to melting, in the vapor of molten zinc. The german-silver of Europe is made by combining the materials in their metallic condition; its Chinese equivalent by mingling the ores of the metals and reducing them together to produce the alloy. Spangles are made, not by

cutting or stamping from sheet metal, but by flattening wire first bent into annular form. Pewter vessels are not cast, but shaped by hammering upon a block. The primitive mill used in many countries—in Normandy for crushing apples for cider, in South America for pulverizing ores, in our own country for powdering the scoria of assaying pots, and composed of a wheel travelling in a groove or channel, has, among Western nations its wheel running continuously in a circular track around a vertical axis; in China its wheel working to and fro in a semicircular track, and around a horizontal centre of movement.

And so, also, of almost every industry and art. The Chinese bell has no vibratory tongue to awake its echoes, but is struck on the outside with a mallet, and instead of having a pear-shaped or conical form it is cylindric in shape and slightly swelled at the middle. The seams of the Western ships are caulked with oakum sodden with tar, those of the vessels of China with a cement composed of oil and calcined gypsum. The dulcimer of the Occident has strained strings of wire, that of the Chinese is formed of resonant stones suspended from a ring and tuned in unison. The Caucasian organ gives forth its sound when its holes are opened, that of the Chinese, the *ching*, one of the sweetest and most charming of instruments, gives forth its slender tones only when one or more of its open orifices are closed. The sheet-lead of the industrial arts of Europe and America is dense and compact, formed by repeatedly passing an ingot between pressure rollers; that of the artisan of the Middle Kingdom, known to us as the universal lining of tea chests, is porous and friable, made by pouring molten lead upon a smooth flat stone, of which the counterpart is pressed down upon the metal to crush it into a thin broad leaf before it has time to solidify. The flail used by the farmer on the banks of the Hudson, the Thames, or the Seine has its swingle attached by a flexible string which permits its universal movement with regard to the staff;

that of the farmer by the Yang-tse-Kiang has it attached by a pivot, which limits its swing to a single direction. The thin metal-ware of the West is of sheet-iron spun or pressed to shape ; that of the Chinese is skilfully made of cast iron as skilfully annealed in hot ovens. The tinker of England rivets a patch on a broken kettle, his Chinese compeer makes a more permanent repair by flowing molten metal upon the fractured edges until the crevice is filled and the patch made integral with the rest. The European gardener multiplies plants by placing the smoothed ends of cuttings in the ground, the Chinese by taking a ring of bark from a branch left upon the tree and packing around it loam, kept constantly moist by dripping water, until a mass of roots has grown from within the cloven bark. The "outside barbarians" put a misdemeanant in a stationary pillory ; not less barbarous than this, the Chinese place an ambulatory pillory—the *cangue*—upon the shoulders of the offender, and in this he must walk, and wake, and sleep. The Chinese blacksmith, instead of forming a hard edge on an implement by welding a strip of steel thereto, by deft and skilful treatment with fire and water slowly brings the edge of the iron itself to a firm and hardened temper. The Chinese tailor heats his smoothing iron, not by placing it upon a hot surface, but by kindling a charcoal fire in a little furnace within it. The moxa of our physicians is a gliding hot plate, that of the physicians of China is a tiny conical heap of burning leaves of the artemesia. The jaded appetite of an European epicure is urged by sauces of spiced and peppered mushrooms, that of the Chinese *bon vivant* by *soy*, a preparation of beans rotted under the heat and vapor of fermenting manure. Chinese lanterns are not made of horn like those used by the Romans, or of perforated metal, as long since in our own country, or of glass as now universal, but are of varnished paper stretched on bamboo frames, sometimes of little cost for the multitude, sometimes of intrinsic worth and blazoned with titles

for the mandarins. The domestic industry of other lands has obtained the healthful acid of vinegar from the acetic fermentation of the sweet juices of fruits ; the Chinese by placing in water the sea polypus found along the coasts. The scientists of the west have envolved anæsthetics through intricate processes of chemistry, the experimenters of China from the exudations of a frog in torment. Fish culture, now a matter of government solicitude in our own and other countries, is old in China ; but the Chinese fish culturist puts the spawn in an egg-shell and places it under a sitting fowl, and after due delay breaks the shell into water warmed by the sun. These are not trifles. They show that in the earliest period of her existence, China drew nothing from other lands. In what she required she originated all, she imitated nothing.

And even in the things that for ages have been common in other countries, we find that in unnumbered instances their parallelism with those of China is of but modern date ; that they, too, at former periods have shown by their use in China and nowhere else that they were but further proofs of the self-sufficing and self-supplying character of the Chinese mind. It was this that discovered the polarity of the magnetic needle and applied it to use in the compass, and obviated its dip by the simple device of placing its weight below the point of suspension ; and it was this, too, that first perceived and made allowance for the variation of the needle from the true pole, these, as I have occasion to remark in another place, having been transmitted through Arabian channels to the merchants and mariners of Europe. It was to the Chinese intellect that was due the invention of printing and its perfection even beyond the requirements of the language, for with the Chinese alphabet there is no advantage in interchangeable types ; and this, like the compass, but by another route, passed from China into the possession of the west.

It was from this, also, that arose the invention of paper in

the first century of our era, the production of inks having a carbon base, as with the printer's-ink of to-day, and the manufacture of lamp-black from the burning of oils. It was this that devised the drilling of grain as distinguished from broadcast sowing, a method that saves in the annual seedtime of China as much as would feed the inhabitants of Great Britain and Ireland. The primitive Chinese mill for the hulling of rice is substantially the same as the modern mill for decorticating wheat; and another apparatus for the same purpose, a lever armed with a stone at its outer end and actuated at the other by arms radiating from the shaft of a water-wheel, differs in no essential respect from the principle of the trip-hammer. What in our day is known as the Belgian system of canal propulsion, and recently on trial on the Erie Canal, was derived from the Chinese method of crossing rivers. The plan by which life-boats are worked to and fro for the relief of stranded vessels is the same as that by which the ships of mandarins were drawn against the current of the Yellow River centuries ago. The paddle-wheel was used for purposes of propulsion in China long ages before it revolved in western waters. It was the structure of the Chinese junk that afforded the prototype of the water-tight bulkheads used in our modern steamships. The use of the steelyard was common with the Chinese two thousand years before the Christian era. Upon rafts or hurdles of bamboo they spread layers of earth which they cultivated like garden soil, and thus anticipated by ages the floating gardens of Mexico.

They invented the arch centuries before it was known to the architects of Greece or of Rome. Their suspension bridges, some of which were of iron, preceded by ages the corresponding structures of European engineers. Bells were cast by them of an alloy of copper and tin twenty-seven centuries before our era and generations before they tinkled in miniature on the garments of the sons of Levi. From the iron of the mountain, Ko-theen-loo, they made armor fifteen

hundred years before the time when, as chronicled by the Arabian, El Mas'udi, "the Lord made the metal soft to David so that he made coats of mail." Within the past sixty years the division of labor has become the distinguishing feature of the industrial systems of Europe and America ; the potteries of King-te-Chin have practised the same for many ages, the consecutive labor of fifty different workmen being necessary to the production of a piece of the finest ware. In our own country a factory system of making cheese and butter was initiated about forty years ago ; the like was done by Chinese sugar-makers generations before the existence of our continent was known to the eastern world ; and the same workers of the cane first used the waste bagasse for heating the evaporating pans. The Chinese terraced the slopes of the mountains with walls of stone for the growth of vegetables, as the shores of Lake Leman are terraced to-day for the cultivation of the vine. Mindful of the chemistry of the soil, they early learned to temper sandy lands with clay, and clay lands with sand ; and they carefully gathered and applied all manner of fertilizers at a time when the wealth of the Roman plains was passing through the great *cloaca* to the Tiber and the sea. They were the first to unwind the cocoon of the silk-worm and weave fabrics from its threads. They were the originators of porcelain, and *Kao-lin*, the name for the clay of which it is made, has passed into the industrial nomenclature of Europe. They invented gunpowder, not only for fireworks and for explosive mines in war, but for fire-arms, for the embrasures of the Great Wall are fitted for the reception of the swivels of wall-pieces ; and more than six centuries before the Christian era their cannon bore the inscription : "I hurl death to the traitor and extermination to the rebel." They discovered, too, in remote times, that the best charcoal is made from willow, a fact recognized to this day by manufacturers of gunpowder in all parts of the world : and their proportions of sulphur, carbon, and nitre are almost

identical with those of the best powder manufactured in Europe. They burned petroleum in lamps long before such use was dreamed of among the western peoples; they sunk salt-wells hundreds of feet through varying strata and, finding that inflammable vapors arose in large volumes, they led them to the furnaces for use as fuel in heating the evaporators. They rendered potable the muddy waters of the rivers by treatment with alum—a process employed in Europe with effect for removing clay and other earths from water intended for use in various branches of mannfacture.

But these are far from all. They adopted the decimal system, for measures of quantity and weight and value, centuries before French legislators recognized its utility or French scientists formulated its application to the traffic of Europe; and now, as in the days of the first coinage of copper, the *lee* or *cash*, a disk with a square hole in the center to permit it to be placed on a string, is the tenth of a *fen*, and the *fen* is the tenth of a *chen*, and a *chen* the tenth of the value of an ounce of silver. Their units of volume and length were literally native to the soil, for the one is the cubic contents of a hundred of the grains of the *Kowleang* or high millet, the *Holcus sorghum* of the botanists, and the latter, for the purposes of the artisan, the linear space occupied by a certain number of the same grains. For the measurement of distances they adopted a different standard equally indigenous to the land. This was the *le*, about two-fifths of a mile, the distance to which a man's voice, in shrill halloo, can be heard on a clear and windless day on the level fields of Ho-Nan.

In minor industries the Chinese long ago saved the culm and dust of coal and mixed it with clay and soft earth from the marshes, to form an artificial fuel, an invention currently believed in other countries to be of recent years. They were the first to make spectacle-glasses from sections cut from rock-crystal. They made cloth from the bark of the nettle, a project revived from Germany as new within the past

few years; and they applied to the extraction of color from a native plant the processes by which indigo is extracted from the *Indigofera.* They hatched the eggs of fowls by artificial heat, the method by which ostriches are incubated on the ostrich plantations of South Africa. They found food in the roots and the seeds of the lily growing in reedy ponds; they purified the nauseous product of the *Palma-Christi* until it became edible and sweet; they made oil from the seeds of the camellia and from the crushed kernels of the apricot. They trained the sheep to carry burdens through the highest defiles of neighboring mountains, and taught the brown cormorant to fish in behalf of his owner in the dun canals. With a keenness of observation and refinement of practice unknown to our industries they spun the fibre of cotton as it came from the boll, lest its strength should be impaired by the processes of compression and separation; and reeled silk from the living cocoon lest the purity of its natural tint should be impaired by the death of the worm.

Such were the manifestations of the Chinese intellect as applied to the useful arts. Such were the implements and methods by which the genius of China manifested itself in originating the industries by which her constantly increasing population has been sustained, and which through almost unnumbered ages have formed the basis of her power and the foundations of her home and foreign policy. But it is to be remarked, and the fact illustrates not only the nature of the people but the policy of the government, that every art, every implement or method, related only to the furtherance of manual operations. Nowhere is there the slightest evidence of intent to encourage labor-saving machinery, which, in less densely populated countries, by dispensing with the labor of some, lessens the cost of the products of labor to all; but everywhere the ready devising and adoption of whatever furnished employment for human hands or opened new sources from which the indi-

vidual could derive food and raiment by personal labor. Within these limits all was devised that was required for use in the agriculture or manufactures of the country. But the limit was early reached. Hence the lack, through many ages past, of industrial advancement, so far as concerns the use of improved machinery or processes, which has given to the arts of China the almost stereotyped character manifest in her social and political institutions. Arts and industries thus restricted could only attain excellence through the highest development of mechanical skill; and their rewards could only be obtained through the cultivation of certain faculties, and these not separately but together, which may be briefly enumerated as accuracy of perception, closeness of calculation, curiosity active but trained and disciplined to a rare degree, and unwearying patience.

III.

THE TRADITIONS OF CHINA AND THE IDEAS OF THE WEST.

THERE is a strange identity between the legends and traditions of the earlier branches of the Caucasian race and those of a remote period of Chinese civilization. To a Chinaman the story of the deluge, as related in the book of Genesis, is but an echo of the story told in the Chinese records more than two thousand two hundred years before our era, in which the land was submerged, and after which several generations were required to turn the rivers back to their courses and recover the plains from the flood. The account of the famine of Egypt reads like a paraphrase of the seven years' famine in China in the middle of the eighteenth century before our era. The theologians of the west speak of the tree that grew in Eden as the tree of life; the Chinese place in their paradise a peach-tree, and he who eats of the fruit thereof shall

be immortal. The scriptural story of Samson is paralleled in nearly the same age by that of the tyrant Chow, who was strong enough to conquer wild beasts by his physical strength, and was deluded to his ruin by an evil woman. When Jonah watched the Nineveh which he thought doomed by his prophecy, a gourd grew up in the night, and withered as speedily. Sixteen hundred and thirty-six years before Christ, in the reign of Tae-Suh, two trees grew up in his palace in a single night, and withered again in three days. Greece, in its mythology, had its legend of the golden age of Saturn ; the golden age of China endured through forty years and ended with the reign of Kang-Wang, in the eleventh century before our era, and in that age no man did wrong and no man was punished. The story of Orpheus is a variant only of that of the Emperor Shun, who, according to the *Shoo-King*, declared, "When I strike upon the musical stones the most ferocious wild beasts testify their joy." The *Shoo-King* dates from the age of Confucius. The Emperor Hoang-Ti built a temple to Peace two thousand years before the walls of the first temple to Janus were built by the banks of the Tiber.

The dragon of St. George dates from the Crusades, and was derived from the Saracens ; the Chinese annals describe the dragon as a living animal, seen upon their sea-coast three thousand years earlier, the last, and perhaps the only, example of the Saurian of geologic times beheld by human eyes. The use of armorial bearings in the west arose in the age of chivalry, at the beginning of the twelfth century. It is written that Tsao-hao "distinguished the principal officers of his realm by figures of birds and of savage beasts, which the great still carry on their clothes to mark their dignity" : and Tsao-Hao lived two thousand five hundred and ninety-seven years B.C. So far as concerns the traditions of the deluge and of the famine, they may have independently arisen from the operation of similar natural causes, although even then their

substantial correspondence is still a matter of surprise As concerns the others referred to, it is difficult to avoid the conclusion that those of the later date must have been derived in some manner from the earlier. The practice of astrology which, like the search for the elixir of life and the transmutation of metals, passed to Europe from Arabia, was doubtless like them derived from the Chinese, with whom its practice appears to have been coeval with the earliest period of their history. The same remark applies to much else, even to matters of minor moment, and some almost ludicrous in their nature. We apply the term "boozy" to the good-natured stupidity incident to a certain degree of intoxication. The term is from the Arabian "boozah," a beverage identical with a fermented liquor of China, described by travelers there as early as the ninth century, and made from rice; but the Arabians having no rice, substituted in its place dough made from the grains of the Dourah or millet. To this day the superstitious among the Arabs believe that an eclipse of the moon is produced by the attempt of a huge fish to swallow the planet, and they strive to drive it away by the noise of drums and brass kettles; the Arabs having substituted the fish with which they were familiar for the dragon of China, which though to them an alien myth, was the source of their belief. In the earlier ages of China a person executing a written instrument made his signature by tracing the outline of his hand with a pencil, and it is hardly avoidable to believe that this was the origin of the phrase, "Witness my hand," etc., in our modern usage. We speak of a "man of straw." It is told how, in the early ages of China, images of straw were placed in graves at the burial of the dead; this no doubt being the substitute of an advancing civilization for the burial alive with a dead chief of slaves and retainers who, as with the savage islanders of the Pacific in recent times, were believed to accompany him in another world. Even words legitimately a portion of the English language of

to-day bear witness to the transfer of ideas from China to the west; thus the word "typhoon" is the Arabic *tafun* from *tai-fong*, the term" applied by the Chinese to the storms that, in the early ages of the world, scattered the wrecks of their vessels along the coast of Malabar and the eastern seas.

More than a century before the Christian era the Chinese treasury cashed its own checks written upon leather and forming an artificial currency for the people, and this was followed by paper money through several hundred years; and there can be little doubt that while to the Hebrews of Venice is due the credit of initiating in Europe the use of drafts and checks and the methods of banking, they derived it in their turn through their co-religionists who were familiar with it in China. There seems, indeed, to be scarcely a phase of development, short of the sciences and inventions of the western nations during the past one hundred and twenty years, through which China has not passed or from which she has not contributed to the ideas of the west; in many instances antedating by centuries its experience. Thus, among ourselves in recent years much thought has been given to the discussion of the taxation of land values as a means of preventing the accumulation of unearned wealth by the owners of uncultivated soil. In China, if a piece of land be left uncultivated those who occupy, or if there be none such, those who dwell nearest it, are compelled to pay taxes thereon. It is for this reason, said a traveller centuries ago, that "in the whole country you will not find a plot of ground lying fallow."

In some instances the acute skill of the Chinese has anticipated by centuries the use of modern methods. The art of photography has enabled a criminal to be identified wherever he may be found. Ibn Batuta says that the Chinese "excel in portraiture" and that the portrait of every stranger in the country was painted, and that if for any reason he was compelled to flee the country they sent

the picture to the outlying regions to secure his recognition and arrest. The Chinese invented chess a thousand years before it is first mentioned in the Arabian annals, and it is known that they used playing cards a century and a half before their first mention in Europe. Of the products, the merits of which they discovered and gave to the world, in addition to those I have mentioned, were ginseng, which their physicians prepared by seventy-seven different methods and which was formerly sold for eight times its weight of silver, and also curcuma and turmeric; the quince and the peony, the latter called in their language "the hundred ounces of gold" and comprising two hundred and forty species, flowering through spring, summer, and autumn; in later times the hortensia and the odorless Chinese lily passed westward from China. The orange, now grown in every part of the civilized world where the climate permits, and which, ripening in the oases of the Barcan deserts, gave the golden apples of the Hesperides to the Greek, was first cultivated in China; and its Arabian name *Aranj* indicates the channel through which it came to the west, and the origin of its present designation in every language of Europe. It was from Asia Minor, which received them from China, that the peach and the apricot were brought to the gardens of Lucullus. From China, also, came the cinnamon-tree to the white sands of Ceylon, the product of the camphor to the pharmacies of Venice, and the roots of the rhubarb to the herbals of India, from which they passed to all other lands. The sorghum, which forms so large a portion of the sugar producing material of our country, was introduced from China direct less than thirty years ago. In almost every phase of intellectual and industrial effort China, isolated as she has been, has contributed her share to the civilization and progress of the human race, but throughout all, it is to be noted, there have been limits far within those which have formed the boundaries of Caucasian thought. Where

the Chinese intellect in the arts and industries, and even in the manifestations of fancy and imagination, has paused, there the Caucasian intellect has seized the crude results and carried them to higher development. But while the bolder spirit of the west has accomplished this, it has fallen short in certain excellences which are inherent in the resolute yet patient and crafty character of the Chinese.

IV.

CHINESE ORIGIN OF PRIME FACTORS IN EMERGENCE OF EUROPE FROM BARBARISM.

We have already seen that the industries of China were self-evolved; sprang from no foreign source, and were unaffected by any external agency. This carries with it the conviction that the intellectual type must have been developed in like manner. For the same conditions which exclude the idea of any external force in the formation of industries necessarily exclude any corresponding idea as to the formation, development, or progress of the racial mind, the characteristics of which are shown in every phase and aspect, great or minute, of Chinese history and progress, and on them have been framed, from the beginning, the life and the strength of China. From them, as embodied in the Chinese of remote periods of time, have been drawn many of the discoveries without which the civilization of our western world would have been incomplete if not impossible. In considering this, a by no means unimportant factor in the relations of China with the Caucasian nations, we are to remember that while the masses of the populations of each were ignorant of those of the other, no such remark applies to the learned classes of either. Century after century while the world grew old, the traders from the west passed to and fro in yearly journeys across the plains of Persia to the entrepôts of Shen-si. Century after century,

from times almost coeval with the birth of traffic, merchants passed back and forth from Asia Minor to the coasts of India, and thence back and forth through the Archipelago and the Malaccan seas to the distant harbor of Canton: while at various periods the priesthood of Israel, the followers of Buddha, and the disciples of Mahomet, maintained unbroken intercourse with co-religionists in the land known to the Persians as Seres, to the Indians as Sinensis, and to the Mediterranean nations as Cathay.

Prior to the discovery of the Cape of Good Hope Europe sought China only by way of the Levant. From this latter there were two, or rather three, routes: the northern by way of Persia, the southern by way of the Red sea, the Indian ocean and the western shores of the Pacific, the third overland to the cities of the Euphrates and the harbors of India, and thence by sea. The former led to Cambalu or Pekin; the two latter to Kingsai or Canton and Zaitun or Amoy. All of them were traversed by travellers, by traders and by ambassadors, at a date so early that no record thereof remains. It is known that there were Hebrews settled in China before the Christian era, and in the year A.D. 73, two years after the destruction of Jerusalem by Titus, sixty families of the tribes of Juda, Benjamin and Levi, journeying by way of Persia, found refuge in China, and for fifteen hundred years thereafter kept up communication with the peoples of the west; and two centuries later yet there remained six families of them who were still adherent to their faith. There appears to have been no century during the past two thousand years when the descendants of Israel have not been settled among the Chinese. Political relations between China and Persia are known to have existed as early as the middle of the second century of our era, and some of the great families of the latter country in early times traced their origin to a Chinese source. In the third century the Emperor of China offered mediation between the rival kings of Persia and Armenia. In the latter part

sprang from the skill of her people, and the ideas that, born from the dreams of her sectaries, passed into the intellectual life alike of the Semite of Asia and the Caucasian of Europe.

I have spoken of the invention of printing. It has been said that this had independent and spontaneous origin in Holland because it was there devised before the discovery of the Cape of Good Hope. But the writers who have advocated this ignored the familiar converse of China with the western world through the channels I have mentioned. The impartial investigator cannot doubt that the first in Europe to print with movable and separate type was Laurentius Coster, of Haerlem, about the year 1430. Printing with movable types, although not advantageous with the Chinese language, is a Chinese invention, and is described in a Persian history of China—Raschid-Eddin's Chronicles of the Rulers of Khatai, in A.D. 1310, and a description of the invention may well have passed to the commercial cities of Holland by the same path as that by which, two centuries later, the tulips of Isphahan were carried to the gardens along the Scheldt. Often an incident, slight in itself, is more convincing proof than pages of argument. When Laurentius fastened together his wooden type with a surrounding string, the common material for writing was made to receive the character on both sides of the sheet. But with the instinct of the imitator, Laurentius printed but one side of the paper, and pasted the backs of the two sheets together in semblance of the printed pages of China. The knowledge of gunpowder came from the same source, but passed from the Chinese to the Saracen, and from the Saracen to the European. As already mentioned it was invented in China before the Christian era. It is mentioned by Arabian authors in the year 1249, more than thirty years before the first dim hint, in Europe, of its composition in the writings of Roger Bacon, and also by them in 1312, and again in 1323. It

was first used in Europe in 1330 in the wars between Venice and Genoa, and sixteen years later in France at the battle of Crecy. The magnetic needle was borne on land carriages by the Chinese, and by its means the Emperor Hoang-ti is said in the chronicles to have been able to follow a retreating enemy, twenty-six hundred years before our era. "By this method," says the historian, "he overtook Tehi-Yeon, made him prisoner and put him to death." According to Humbolt's researches, the compass was used by the Chinese on their vessels sailing in the Indian ocean seven hundred years before it was known in Europe. It was used after the Chinese manner—a magnetic needle placed upon a buoyant sliver of reed floated upon a basin of water—in the Syrian seas as early as 1242. In 1260 Marco Polo brought it to Italy direct from China, and, in the century after, Flavio Gioja, the Neapolitan, gave it its present form. To the Chinese also the western world is indebted for paper. It was invented by a mandarin—Tsai Lun—one hundred and fifty years B.C. He made it from the bark of trees and from old linen. Improved from time to time, it found its way at last, in the eighth century, to Samarcand, from which, over the routes of traffic, it passed to Greece, and thence to Western Europe.

The art of printing, the manufacture of gunpowder, the mariner's compass, and the production of paper—these, according to all European authorities, are the agencies that made possible the transition from the intellectual gloom and stagnation of the middle ages to the glory of modern civilization: from the introduction of these in Europe dates the modern development, in all its varied and abundant phases, of the genius and strength of the Caucasian race. They were the gift of China to the countries of the west. If races were capable of gratitude, and sentiment could weigh in the intercourse of nations, our obligations to this oldest of peoples would be great indeed.

V.

INFLUENCE OF THE THOUGHT OF CHINA ON THE INTELLECTUAL DEVELOPMENT OF EUROPE.

EVEN more than in the inventions to which I have referred, China has contributed to the development of the west. For, while I do not intend to trench on ground that may be debatable, there appears to be little or no doubt that much which has had a controlling influence on European thought has been derived from the earlier manifestations of the Chinese intellect, transmitted, like the compass, through Arab channels. It is from Arabia that we derive our earliest knowledge of China. Its intercourse with that country by sea dates from the time of *Han-Hwan*—the middle of the second century of our era—and was continued for hundreds of years. So far as diligent study has enabled me to ascertain, the dream of an elixir which would prolong human life to an immortality on earth, and of a means that would convert base materials into gold, dates in Europe no farther back than the middle ages; and it is known that the study of alchemy in Europe was derived from the Arabian, Gebir, who wrote in the eighth century of our era. It is more than two thousand years since a devotee of *Laou-tze* declared the discovery of both to the Emperor *Woo-te;* and it is notable that the inseparability of the two, the elixir of life and the transmutation of metals, which runs through every theory of the alchemists, occurs in that of the Chinese original. It is also worthy of remark that the two substances, sulphur and quicksilver, which the alchemists held to be the most necessary in the transmutation of metals, are combined in cinnabar—vermilion—which the Chinese visionary declares to be essential in his method. After referring to the miraculous potion, the Chinese philosopher avers, "you shall mix some vermilion with it, and this vermilion becomes gold, and

this gold gives everlasting life." Like many a ruler of later and lesser times, the emperor believed the glittering promise, and was misled to his disappointment and sorrow by this Chinese Paracelsus.

So also with the not less entrancing belief that nature herself, from her mysterious resources, may provide the means of an eternal youth. The story of Ponce de Leon in our own country is no myth. From the sunny fields of Spain the adventurers came to seek in the sub-tropical forests of the New World the fountain whose waters should resist old age. But the dream came to Spain from Arabia Felix, and Arabia hearkened its promise from far Sinensis. The annals of China and Japan agree that no less than two hundred and nine years before the Christian era the physician Ziko-Fuku led six hundred people in a wandering quest for a drug that would confer immortality. They found it no more than the Spaniard found it in the springs of Florida, but they settled in Japan, and gave a long line of kings to its provinces, and the letters and civilization of China to its people.

Again, but here I am treading close to the realm of conjecture, it is difficult to account for the sudden and luxuriant growth of Arabian literature, except upon the hypothesis of a foreign influence. The Arabian mind was not originative. It was skilled in the arts of trade and disciplined in the faculties of war and of toil, but in all else was receptive to the last degree. It had nowhere the gloomy magnificence of the Hebrew mind, but rested content with sensuous sights and sounds and thoughts. Nowhere in the literary style of the Arabians do we find the stern and almost awful grandeur of the writings of the children of Judah, but everywhere florid and extravagant forms of expression that indicate by their different character a different source. Far closer to the literary manner of the Chinese than to that of any of the adjacent peoples are the works of those who wrote in the Syrio-Koreish, which formed the later and

learned language of Arabia. "Meadows of Gold and Mines of Gems" sounds like the title of a Chinese tale, but it is that of the history of El Masoudi, an Arabian of the thirteenth century. This fruitfulness and abundance of metaphor exists also among the Persians. We have seen how nearly allied that country has been to China in periods extending over centuries of time, and it is known that the pictorial and keramic art of Persia is strongly tinctured with that of China introduced more than sixteen hundred years ago. The literature of China abounds in the use of superlatives framed in shapes the most elegant and refined. Their *tcha* or tea, as we term it, is in their literature no common stimulant. It is termed "the leaf that drives away the five causes of sorrow." The National Institute, whose members are those who have taken the highest degrees in letters, is "The Court of the Forest of Pencils." The progress of the poetic art is itself designated under the metaphor of a tree, of which the ancient book of odes is the root, the literature of the time of Soo-loo the stem, and that of Kien-gân the foliaged branches; while in the period of the Tang dynasty came forth the perfect flowers and fruit. This, the Augustan age of Chinese literature, was, in the eighth century, the same that beheld the Arabians conquering and flourishing at Canton, and the same that witnessed in the writings of the Arabian Gebir the rise of that alchemy the study of which swept like wildfire through Arabia and the whole of the Orient. In this culminating period the Chinese intellect, in the perfection of its verbal forms, and the Chinese imagination, in the luxuriance and audacity of its visions, was the same as that in which the intellect and fancy of the Arab first awoke to abounding strength and vivacity. Taking into view the close connection of the two peoples at, and long before and after, that time, it is not difficult to deduce with clearness that the newer seed of Arabian letters was garnered from the older of Cathay.

It is true that in this same century the Caliph Almanzor gathered together at Bagdad all that was available of the remnants of Greek, Chaldean, Egyptian and Persian writings, and that from these the sciences of medicine, of astronomy and of mathematics were revivified to the ultimate benefit of the west. But it is not these that this paragraph concerns. The florid exuberance of the Arabic writers came not from the chastely symmetrical elegance of the Greek, from the severity of the Egyptian, or from the obscurity of Chaldea. If it be said that the character of Persian literature has the same elements, it may be replied that they may have come from the same source. The founder of the Manichean faith in the second century of the Christian era passed a portion of his life in China, and it was through him that Chinese pictorial art exercised an enduring influence in Iran.

We are in this connection to remember that the words of the Koran, now regarded by the Moslem as the perfection of style, are the later vesture of thoughts spoken orally by the Prophet, and taken down at different times by his disciples, sometimes "written by their pens on the leaves of the palm-tree, the skins of animals, or even the shoulder-bones of sheep"; that these fragments were arranged into a volume by Abu-Bekr; that this and subsequent manuscripts were so unreliable that Othman, the third Caliph, burned them all and gave a new rescript of their contents for the guidance of the faithful. The intimacy of China with the west at that time is shown by the fact that before the advent of Othman to the Caliphate, the grandson of Chosroes, flying from the "victory of victories" won by the Arabians over the Persians at Nehavend, took refuge in China. In the Koran of Othman appear traces of imagery more like that of a follower of Lao-Tze than of an Arab limited to indigenous forms of expression. "The wounds of the warrior at the day of judgment," it says, "shall be resplendent as vermilion, and odoriferous as

musk." Neither vermilion or musk were the products of Arabia; they were brought thither from the marts of China. Where the illustrations of a rising literature are drawn from that of another land the influence of the latter upon the former needs little further proof.

It may be asked, at this point, what bearing have such researches upon the practical questions of to-day. They may be considered as not unworthy of remark when we reflect that the intellect which gave to the west the means through which it passed to its triumphs of modern times, the dreams through which its science awoke to the use of the alembic and the crucible, and, it may be, the first impulse toward the renaissance of letters, is existent and active still; disciplined by the experience of added centuries, and destined, after the vicissitudes of ages, to confront and antagonize our own. If I have dwelt at some length upon the past of China and her people, upon her attributes, and upon what she has done in the world, it is because these imply her resources and indicate her moral and material strength.

VI.

INTENSITY AND SYMMETRY OF THE CHINESE MIND.

The conditions of existence from a time anterior to the extension of their villages along the lengths of the great rivers, have developed the peculiar qualities of the Chinese intellect with an intensity not equalled elsewhere in the world; and thus a symmetry, perfect of its kind, in the nature of the people enabled them to excel to the utmost within the narrow boundaries assigned by policy, by usage and tradition. This excellence and others akin to it, which constitute an indefeasible merit so far as concerns the Chinese in their own country, is a standing menace as an element in the relations of China with the rest of the world.

In any employment where the qualities referred to are essential to success, the Chinaman, their inheritor through a hundred generations, is to be esteemed for his skill and feared for his rivalry. The Chinese waterman will hold the sheet of his sail with one hand and steer the craft with the other, while with his foot he feathers an oar to aid the work of propulsion; without the sail, his boat, having a tiller worked by the hands and sculls worked by the feet, moves regardless of wind and tide, at seven miles an hour, which is sixteen per cent. faster than the speed on land of mail stages in the United States. The Chinese farmer, in the working of tilled fields, fits the ground for the seed by causing one laborer to dig the stubble with a hoe, another to shake off the earth and lay the haulm in little bundles, while a third stirs the untouched soil between; this manual labor rendering the ground suitable to be further broken by a plow drawn by men and women yoked thereto, or, if the ground be tough from the presence of clay, by a single buffalo. The Chinese colorist uses the pigments common in Europe, but secures a higher brilliancy by longer and more careful levigation in their production. What the Chinamen has once seen done he can do himself, with refinements of execution due to his close perception and habits of accurate work. Once taught, he works as an automaton, but as an automaton endowed with consciousness. I shall never forget my first sight, years ago in San Francisco, of a Chinese artisan at his work. It was only the making of cigars, but the tawny fingers moved as if directed by the regular stroke of steam, and with an accuracy that no mechanism could have surpassed. Making no haste and no pause, impassive to the curious gaze of the onlooker, his horizon apparently bounded by the space of the bench before him, stunted in figure, and with the dull and animalized visage peculiar to his race, he stood, a being trained to manual dexterity by almost fifty centuries of labor, but devoid of the wants, the aspirations, the high

humanity with all its attendant needs which ages of intellectual, emotional, and physical advancement have given to the races with which time and circumstance had brought him face to face. As concerns the capacity for labor of of the Chinese, all travellers, through many centuries, unite in the praise of their industry, their skill, and their patience. Ibn Batuta, writing nearly five hundred and fifty years ago, declares that "The people of China, of all mankind, have the greatest taste and skill in the arts." He says of the country along the yellow river, that it is more flourishing than that of the Nile, that the sugar is better than that of Egypt, the melons better than those of Ispahan, the plums better than those "which you get at Damascus." What the Chinese were in his time they were a thousand years before and are to-day, the most patient, persistent and industrious workers on the face of the globe. They are to the rest of mankind what the ant, praised by Solomon of old, is to the bee, the butterfly and the beetle.

The conditions of soil, climate, and geographical position which have moulded the industries of China have furnished the basis of her governmental policy. The country is a substantially level land, with no considerable mountain ranges to divide the territory into separate or separable nations such as have grown up between the mountain barriers of Europe, nor even mountainous regions to shelter rebellious tribes such, for example, as the sixty that inhabit the Caucasus. Threaded in all directions by water ways converging from the natural boundaries of the region on the west until they mingle with the two great rivers, and these latter united in early ages by the great canal, the same facilities that promoted internal commerce facilitated the control by government from the capital to the remotest portion of the empire. Extending over many degrees of latitude, the climate permitted the growth of widely varying products. The general contour of the surface being low and level, watered by great streams, and

favorable to the construction of canals, the productions of one part of the country supplied the needs of others, and an internal commerce served at once to provide occupation and livelihood to a large proportion of the people, and to supply all actual necessities of the whole. Many articles, both agricultural and manufactured, are produced in their greatest excellence in but few localities, from which they are, and for many centuries have been, distributed to other parts of the country. For instance, from its northern portions have been drawn its supplies of salt, and in a less degree of coal, iron, and porphyry, copper, and gold,—musk from the mountains of Kansuh, and strange drugs from the plain of Shantung. From Kansuh, also tobacco, milder than ours, but none the less esteemed. From the eastern provinces, the most fertile, healthful, and productive of the whole kingdom, and containing nearly half its population, are derived the woven silks of Soochoo, and the vividly colored crapes and fine embroideries of its rhyming neighbor, Hoochoo. Witness, also, the raw silks of Kangsoo, the satins of Nankin, and the fermented liquors of Shaouking; the green teas, inks, and varnish of Gahnwuy, the hemp and grass-cloth of Keangsi,—the latter made from the China grass or ramie which has baffled the inventors of Europe and America in attempts to successfully apply machinery to the separation of its fibres; the fine porcelain of Kinkinching, and the hams of delicate curing from Kimwha; the rhubarb and musk, the paper and lead of Honan. From the western regions, nearer the sources of the two great rivers, and bordered by mountain fastnesses occupied by tribes yet wild and unsubdued, are brought herbs and roots of medicinal fame; copper, gold, and brass and silver, iron also, and cinnabar from which the celebrated vermilion is made. From the south the black teas, the iron, alum, and tobacco, the camphor, sugar, and indigo of Fokeen; the sugar, cassia, and betel-nuts of Kwangtung, and the varied and unrivalled manufactures

of Canton. Such are a few of the sources of traffic which unite the whole of China in a network of business relations that, by their constant attrition, excite the national intellect to the highest activity in the practical affairs of life.

Because of its diversified productions, each more plentiful in a few favored districts, each portion of the country has found itself more or less dependent upon all the others, and each has found in the others its sources of profitable labor and remunerative trade. And although traffic, as we have seen, naturally arose between China and the landward regions adjoining, and with adjacent coasts, and there afar, she found herself practically independent of foreign commerce, free from all great need of it, at a period so remote that no record exists of its beginning. In the watered lowlands or irrigable regions abundant crops of rice, in the northern provinces of millet, gave sustenance and afforded occupation to the great mass of the people; while the other arable lands cultivated by manual labor, or only by the use of the buffalo as an animal of draft, fertilized and tilled like gardens, gave variety to the agricultural productions of the country, and yielded for a given area more than could otherwise by any possibility be obtained; for the Chinese learned early that the surface of soil required to support a farm animal is threefold that required for the sustenance of a human being. The localization of special products and special industries, and the interchange of commodities, afforded still other outlets for industrial energy and provided the means of supplying the wants of each from the resources of all. It was not without wisdom, therefore, that the rulers of China accepted the belief that a system of national isolation which arose originally from geographical position, and which had worked well for unnumbered generations, should not be given up; that a foreign commerce, of which she had little need, should be discouraged as a disturbing element having, to her, stronger possibilities of mischief than of good.

The principle of exclusion which has marked the modern policy of China became definite only about two hundred and fifty years ago. Up to that time, as we have seen, communication with other nations had been common. It began, it is true, when the discovery of the passage around the Cape of Good Hope threw the Indian travel aside from the old routes by the ways of Arabia and of Persia, and the ruder peoples of the Atlantic coast began to frequent direct the Chinese seas. But with the end of the thirty years' war in Europe, and during the succeeding thirty years between the peace of Westphalia and the treaty of Ryswick, a change had come over the spirit of Europe. The end of great religious wars was come. Henceforth the energies of the Germanic and Latin races were to be bent upon the worship of lucre, upon conquests in the interests of trade, upon territorial aggrandizements not merely for political power, but for the possession of colonies as trading posts in remote parts of the world. With a prescience almost marvellous of what the two succeeding centuries were to bring forth, China drew within herself, and reiterated with firm purpose her policy of keeping her own people at home, and of excluding all foreigners from her borders. This was carried into effect with characteristic thoroughness. Except under very peculiar circumstances the wandering alien was killed at short notice and with shorter shrift. The Chinaman who taught the language of the country to a foreigner was subject to the penalty of death. When the missionaries, in 1805, attempted to send a map of the country to Europe their colony was destroyed by the sword. The western world laughed her course to scorn as the short-sighted device of a barbarian nation. Its wisdom was demonstrated by two hundred years of almost incomparable internal progress. Two centuries of peace, broken only by slight and local rebellions, followed the enforcement of the policy of exclusion. Her sorrows began when that policy was broken down by the cupidity and the artillery of the west.

VII.

RACIAL PROCLIVITIES OF THE CHINESE, AND PHYSICAL CONDITIONS UNDER WHICH THEY HAVE DEVELOPED.

We may now pass to a more complex phase of the inquiry ; that in which racial proclivities are added to physical conditions as factors in the development of Chinese character, and of the elements, good or bad, of Chinese power. And in this we should trace the induration of native endowments by the reiterated effect, through nearly five thousand years, of moral and intellectual laws, as we have sought to trace the results of physical conditions upon those of their institutions more directly formed by the moulding action of subjective influences. The process is perhaps more difficult in the one case than in the other, because we must judge of character by its manifestations, while the facts of the physical world lie upon the surface. But it is not necessarily more obscure in its inductions or uncertain in its results. In the pursuit of this branch of our study we may learn that current Caucasian public opinion has underrated the strength and astuteness of the Chinese intellect, and has overrated any other claim which China may have to the favorable consideration of Caucasian communities. We may find, if I mistake not, that the Chinese character is strong not only in its positive but in its negative elements ; that the very absence of those finer and higher qualities, which are with us believed to be essential to enlightened communities, has given, and will continue to give, a preponderating power to the Chinese in all that relates to merely material success ; in brief, that their civilization bears the same relation to that of Europe and America that the proverbial iron pot bore to the flask of porcelain as the two in contact floated down the stream.

We have already seen that the language, the music, the institutions, the forms and principles of government, the

underlying idea of the religious principles of the masses, the fine arts, the literature, and the industries of China were, all of them, self-evolved—sprang from no foreign source, and were unaffected by any external agency. This carries with it the conviction that the intellectual type, of which these are exponents, must have been developed, in all its essentials, in like manner: for the same conditions which exclude the idea of external force in the formation of any of these necessarily exclude any such idea as to the formation, development, or progress of the racial mind.

That this is the case is also shown by the fact that the governmental, social, and religious institutions are simply an extension of those which control the family in the earliest stages of society. This can be traced in the constitution of the Chinese Empire as clearly and certainly as the banyan tree, spreading its connected trunks over many acres, can be traced to the solitary stem from which it originally sprang. The emperor stands as *paterfamilias* to all his people; the governors of the eighteen provinces are in the same relation to those below them, and so on, through all the grades of authority, down to the family over which the father exercises absolute control. The social duties have for their essential foundation, first, reverence for the head of the family, and second, reverence for the paternal authority embodied in the officers of the law. Religion, although tolerated in almost all its forms by the State, is, with the Chinese, little else than the worship of ancestors, notwithstanding that their mythology is full of gods,—some of them mortals who died within historic times, and others merely the personifications of evils which they dread, for to them even the small-pox is an object of adoration. In the dwellings of the great mandarins are sanctuaries sacred to the burning of perfumes, the presentation of offerings, and the making of prostrations to the memories of their forefathers, and for communication with the spirits of the dead. The poorest laborer, crowded with a score of others in a

single room of a mud-built dwelling, has, in a corner of his lodgement, a shelf sacred to the same purpose. Sacrilege itself is defined by the Book of Rites as disrespect to one's progenitors. This, strange and puerile as it may seem to us, becomes grand in view of its depth and intensity. It shows how far after all, the emotional nature of man is superior to external surroundings. For this worship, which dominates China to day, as it has done for thousands of years, is but the survival, developed and intensified, of the awe with which the earliest Scythians, impressed with the fearful mystery of death, heard the voices of the departed in the storms of the mountain valleys or the rustle of the wind through the grass of the starlit steppes of the North. Necessarily associated with this reverence of their forefathers is a like reverence for the forms, usages, and customs of antiquity. Hence the permanence of their laws, their stability as a people, notwithstanding the turmoil of many terrible revolutions. These usages and customs have sprung from the same source as the beliefs of the people, and are the outgrowth of the idea of the family. For although the inhabitants of northern China may readily be distinguished by speech and appearance from those of the south, yet all read the same language, and all, in essential things, obey the same rules and follow the same principles of life and conduct, and this not only as individuals, but as a colossal community.

Carrying one of the most sacred laws of the family into the organization of the state, the members of any one of the twelve tribes, each having a common name, must marry outside of his tribe, and with one whose name is different from his own. As a result of this, the relationship of blood extends through all parts of the Central Kingdom; and each tribe, though distinct in itself, is bound by innumerable ties with all the others. The idea of the family implies mutual coöperation and helpfulness, and thus, in theory and practice, that which is the controlling motive of

the civil organization becomes also the leading method by which the ordinary affairs of life are carried on. Nowhere else in the world is the principle of coöperation so well understood, and nowhere else is it carried into effect with so much utility. No man stands unsupported and alone among the Chinese. Throughout the whole country there are loan societies by which the burdens of high interest are lessened. Every trade, profession, and business has its associations; even the robbers and beggars form themselves into guilds; and in locations where the governmental authority has for the time proved too weak to maintain order, voluntary combinations of the inhabitants have supplied its place.

Thus in the nation, as in the families from which it sprang and which formed its archetype, the most absolute form of a centralized government is made consistent with the utmost freedom of individual action. The personal volition of the Chinese is subject only to the rites, observances, and convictions, which are as much a portion of the people as is heart or brain, and as necessary to their normal existence as the air they breathe or the soil they cultivate. For their convictions are so strong, their rites and observances so fixed and permanent, that no conquering dynasty has ever changed them; so strong and so permanent indeed, that every ruler has respected and adopted them. When, centuries ago, Genghiz Khan, the Tartar chieftain, subdued the land, he held it for himself and his descendants only by conforming in every possible way to its established customs; and when one of his line attempted to disregard these, the rule of the Tartar gave way to that of a descendant of the native kings. In modern times the conquering Mongols, who for two hundred and forty years have been the political rulers of China, have held their place only by becoming the embodiment of Chinese traditions. The paternal idea is indeed carried consistently to the utmost limit, in providing for

the distant as well as for the immediate welfare of the people. It is this that from remote times has instituted the multiplicity of schools, and has opened the highest ranks, below that of the emperor, to those excelling in scholarly attainments without regard to their original condition of life. It is rare to find in China an individual who cannot read and write. The precepts of their wise men are painted upon the fronts of the buildings, so that, literally, he who runs may read; and an official gazette, probably the oldest newspaper in the world, carries the intelligence of the work of the government to the remotest parts of the empire.

VIII.

CHINA YET BUT MIDWAY IN HER CAREER.

Nor must it be imagined that this organization, so simple in its intricacy, and so strong in its apparent weakness, is a thing that has culminated and is now passing to decay. The life of China has been long, and her growth proportionally slow. But it needs but a brief recurrence to her history to show that there has been constant progress toward an end not yet reached, a development that is not yet completed. We have seen that nearly three thousand years before our era the Chinese possessed laws and institutions, had invented instruments of music, and already entered upon the pursuits of a sedentary people, kept their records by arbitrary signs formed by or upon knotted cords. It was more than six hundred years before letters were devised and marked with an iron stylus on bamboo, to formulate thought in written speech, long ages passed before the painting of the characters substituted the use of the graving point, and then long lapse of time preceded the invention and use of type. It required seventeen hundred years from the

time of the invention of letters for the outgrowth of the Chinese intellect to take intelligible form in the writings of Confucius and Lao-Tze. It was one thousand years later still before the system of the great exponent of philosophy and of the laws was regularly organized. And it was four hundred years after this before the government itself adopted a system of promoting to the utmost those arts and industries upon which the prosperity of the people more and more depended as the population increased, and the conditions of life became more complex. For it was in the ninth century of our era, according to an Arabian chronicler, that the Chinese were, "of all the creatures of God, those who have the most skill in the hand, in all that concerns the arts of design and fabrication, and for every kind of work." The same writer says "that when a man has made anything that probably no one else could be able to, he carries it to the governor, demanding a recompense for the progress he has made in the art." The test of its excellence was, that it should be kept for a year subject to the criticism of all who came, and if no real fault was found, the maker was promoted by being taken into service of the government. Quaint tales are told in Chinese history of the working of this plan, and illustrating, not only the excellence to which the arts were brought by this method, but the closeness of observation and severity of judgment then, as now, one of the salient characteristics of the race. It is said than an artist represented a sparrow, perched on an ear of standing grain, with such consummate skill that none doubted that the bird was alive; but it so happened that the ear was shown as standing straight, whereas if the bird were perched upon it the stem would be bent, and so the artist lost his reward. In the arts, as in letters and policy, the same slow gradation of successive progressive steps is seen. It certainly required many hundred years to construct the immense system of canals which, even in the

beginning of our era, are known to have aided agriculture and facilitated the inland commerce of China. But it was not until the year A.D. 605, that the Emperor Yangti enlarged the entire system and connected the two great rivers. The manufacture of porcelain commenced in A.D. 630. In A.D. 684, began the public examination of candidates for literary honors, and it was only in A D. 757, or thereabouts, that books were bound in leaves. In A.D. 1277 cotton cloth came into use, although the fibre is mentioned in the annals more than eight centuries before. In A.D. 1333 the grand canal was completed to unite the two great rivers. It was not until the thirteenth century that the distillation of grain for the production of alcohol was discovered by the Chinese; and it is only since the accession of the Manchoo dynasty that foreign grapes were brought into the country, and acclimated. During all the centuries China has been expanding from the nucleus of Shen-si and its adjacent lands, until it embraces the whole region east to the ocean, north to the Tartar steppes, and south to the mountain ridges that divide it from Tonquin. But I shall speak, further on, of the expansion of China in dominion and population.

Although, as we have seen, progress has been slow in China it has been sure; and every forward movement, whether slight or great, has added to the resources and the permanent prosperity of the people. The relations of China with other nations during the past century have forced upon her a policy that, when carefully examined, will show a more rapid and more aggressive advancement than any other portion of her history; a policy which, as we shall have occasion to consider, cannot, if continued, fail to have the most important bearing upon the future of our own country and, indeed, upon the future of the civilization of our raee.

The retrospect of the past of China and her people shows absolute fixedness and absolute permanence in the

direction of the Chinese character, but nothing that indicates that this character is stationary. Its scope is limited in certain ways, but in the line of the course which it has followed for almost five thousand years its path lies open, broad and clear, as it did in the infancy of recorded time. Yet, with all that we have thus far seen, a fair conception of the favorable side of the Chinese character is not yet fully given. Reference has already been made to their close and accurate powers of observation as displayed nearly ten centuries ago, and which form no inconsiderable element of mental strength and intellectual success. A distinguished traveller, in the early part of the present century, attributed to this the numerous discoveries of the Chinese in agriculture, by which they utilized plants of no worth in other parts of the world. And the thoroughness and completeness of Chinese ethics and practice, as applied to the paternal guidance of the population, is demonstrated by the fact that this faculty of observation has been encouraged by imperial teaching and example. "I would rather," said the emperor Kiang-hi, when the vine was introduced, "give a new fruit or grain to my country than to build an hundred porcelain towers." It is written in the Chinese books that the same emperor saw, in the first day of the sixth moon, a field where rice was sown to be harvested in the ninth. But amid all the myriad ears there was one already ripe. He gathered it; planted it through thirty successive seasons, and from it came the *ya-mi* or imperial rice, the only kind that can ripen north of the Great Wall, or that will yield two harvests a year in the south. This new cereal added to the food resources of the multitudes of Mantchuria, and may yet find its place among the grains grown in our own country, if, indeed, it has not already done so.

This faculty of observing the importance of apparently trivial things lay literally at the foundation of one of the greatest works of China. The Tartar horsemen from their

infancy were seen to have legs bandied to the curvature of the sides of the saddle, and therefore weak in marching or fighting on foot. Hence the Great Wall, a thousand miles in length, was built, and the Tartars were shut out in the same manner and with the same childlike forecast as the wild beasts that shared with them the wide pastoral wildernesses of the North. The accuracy of perception and the close study of what passes under their observation form the basis of the strong imitative power of the Chinese—the faculty that renders them such dangerous competitors in the practice of every art affording scope for manual dexterity. The same faculty has also made them proficient in arts which they employ alike in the ordinary relations of life and in the highest work of diplomacy. They have been well said to be a nation of actors. The Chinaman is as subtle and facile in whatever requires intellectual work as he is in the performance of manual labor. Add to these faculties that of a suavity and politeness which, though ordinarily formal in the extreme, is nevertheless refined and delicate. In nothing does this appear more clearly than in Chinese diplomatic correspondence with the representatives of other countries. The communications from Caucasian powers have often been singularly rude and uncourteous when compared with the polished and considerate phraseology employed by the Chinese dignitaries. No civilization can be wholly deprecated which has fostered and developed the characteristics which we have thus far seen to be inherent in the people of China—characteristics that, almost without exception, are found to be universal with her people ; with the ignorant as with the educated, with the laborer as with the mandarin. And these qualities, always formidable in contests of diplomacy between nations as between individuals, become doubly so when, through long growth and persistence, they have been intensified, and made unchangeable as elements of national character.

IX.

COMBINED INTELLECTUAL STRENGTH AND SAVAGERY OF THE CHINESE.

However objectionable from our standpoint the Chinese type may be, it is of marvellous symmetry when considered by itself. Its more ignoble parts are not in any wise inconsistent with those which compel respect; on the contrary, its virtues give vigor to its vices, and the two together, combined in closest union, afford a racial individuality that for aggressive purposes is of more than giant strength.

The slow and deliberate savagery of the Chinese has been remarked from the earliest times in which they came in contact with the western peoples, and is shown in every relation of personal life and national policy. In the ninth century the foreign trade of China temporarily acquired considerable magnitude, and led to the settlement of many foreigners in her seaport cities. One hundred and twenty thousand of these were massacred at one time in the capital city of Tche-Kiang. These were Christians, Hebrews, Mahometans and Magians, whose numbers were ascertained from tax-lists; of the number of natives who were murdered on the same occasion, no record exists. There is no reason to suppose that this was the first instance of the promiscuous slaughter of a large population. Nor from that time to this has there been a single instance in which bloodshed has not been carried to the utmost, wherever territory has been conquered by arms, or cities have been subjugated by siege. Less than fifteen years ago, the city of Schu-chang, in the province of Kansuh, was held by rebels, and was invested by the imperial forces. The fortifications were breached by the explosion of mines and then carried by storm. After the surrender the chiefs were hacked in pieces. Nearly sixteen hundred men were

laid on the ground in rows and then beheaded. In the words of the Pekin *Gazette:* "The same night the same corps entered the city, and set it on fire; bullets and spears did their work till the whole local Mahometan population, numbering more than five thousand and four hundred, save about nine hundred females, children and old folk, were given to the flames, and peace reigned in Schu-chang." The official account adds, with the greatest equanimity, that "the maiden and the wife had far from escaped violation," and closes with the statement that the enemies of the emperor "had been executed as their muster-roll was called, like sheep or pigs in their pens, not one escaping." Twenty years previously the insurgents exploded a mine under an angle of the walls of Nankin and through the breach thus obtained took the city by storm. It contained twenty thousand men, women and children, of whom not more than one hundred escaped. The rebels proclaimed, "We killed them all, to the babes at the breast; we left not a root to sprout from." After the slaughter the dead bodies were thrown into the Yang-tsé-Kiang. One of the rebel chiefs captured by the imperial forces was subjected to torture and was then slowly cut up into small pieces until he expired. Such is now and has been from the earliest times the Chinese idea of conducting war.

The savagery of the Chinese like everything else in China, dates back unchanged to remote ages, and inheres in every phase of life or vicissitude of fortune. The *Shoo-king* or ancient code set forth what should have been a very effective means of insuring accuracy in astronomical observations. If the astronomers failed to forecast a coming eclipse at the proper time they were put to death, and if a prophesied eclipse did not take place they met with the same desert.

The ingrained ferocity of the people, however, both in the present and the past, is even better illustrated by their laws and by their social customs, which, as we have seen-

have been the slow and determinate outgrowth of the nature of the people through unnumbered ages.

The intent of the Chinese law is to strike the innocent as well as the guilty, and to punish the offender by inflicting suffering, not only upon upon him, but on all connected with him. A person convicted of high treason is condemned to a slow and painful death—a death preceded by torture many times repeated ; for executioners are skilful in reviving the victim for renewed torments. Not only the criminal, but his father, grandfather, sons, grandsons, paternal uncles and their sons, are condemned to death, while all the male relations under sixteen are subjected to a treatment too gross to be mentioned here, and given to the great mandarins for slaves. The female relatives of all ages are consigned to slavery, and all the property is confiscated. Notwithstanding these terrible penalties, no trial, in the proper sense of the term, is afforded the culprit ; his case is heard without a jury before a mandarin, who is at liberty to hear or reject as much of the testimony as he pleases ; and although a rehearing may be had at the instance of relatives, yet no counsel can be heard, and even the argument of the relations is a matter of favor and not of right. The debtors of the emperor, if shown or claimed to be guilty of fraud, are strangled, but if the non-payment be due merely to misfortune, the imperial creditor confiscates their property, and sells their wives and children to slavery. A slave who strikes his master is beheaded ; if he strike with intent to kill, he suffers death by torture ; if he accidentally kill his master he is imprisoned for a certain time and then strangled ; if he accidentally wound him, he is banished to the distance of three thousand *le*, but not until he has received one hundred blows. If a slave is impudent to his master, he is strangled ; if to any of the relatives of his master in the first degree, he is banished for two years and receives fifty strokes with the bamboo. The nature of this common method

of punishment in China should be understood. The victim is suspended from a beam by means of a rope tied to his wrists and feet, leaving his body bent in the form of a bow; his flesh is torn to tatters by executioners standing beneath. It is the common custom, after the prisoner has fainted, to restore his strength by remedies, in order to permit a repetition of the operation. The extent to which the law, in other words, the bamboo, is brought to bear in all the relations of life, is shown by the fact that when a trader deliberately plans to undersell his neighbors so that they cannot dispose of their goods, he is punished with forty strokes. Chinese marriages are not arranged by the parties directly interested, but by their relatives. If one of the family recalcitrates, after a betrothal has been agreed upon, the head thereof receives fifty strokes with the bamboo, and under this legal process the wedding ceremony takes place perforce.

But the intent and practice of Chinese legislation do not stop with even this, for wherever a person observes a line of conduct that may be alleged as offending propriety, even if there be no special infraction of any established enactment, he is liable upon a very informal trial and at the arbitrary will of a mandarin, to the penalty of forty to eighty blows. The treatment of offenders is barbarous in the extreme. A French traveller recalls an instance in which a number of prisoners, who were being carried through the country, had their hands spiked to the cart in default of ropes with which to tie them. Manacled prisoners are caused to lie down on their faces and, chained fast in this recumbent position, have heavy timbers placed upon and across them, and in this manner pass the night. An inferior official who neglects, or is believed to neglect, his duty, has a long bamboo thrust through his ears, and a flag on the end of the quivering rod tells in legible characters the alleged cause of his disgrace.

These peculiarities of Chinese jurisprudence readily ac-

count for the fact that many of the mandarins speedily grow rich. Where torture is the mildest form of punishment, a due gradation must render the death penalty frequent for faults considered to be of a graver kind. About a hundred years ago a subject ventured the advice that the emperor declare his successor, for which heinous offence he was put to death. The Ming dynasty declared that paper money should be considered the same as copper coin, and that whoever demurred to this should be beheaded. Up to the beginning of the present century, death was the punishment of natives who taught Europeans the Chinese language, or who revealed to foreigners the methods of Chinese manufacture. During the inception of the opium trade, the penalty of death was put into effect to deter the native population from purchasing or dealing in the article. Before the power of the western nations had made itself so effectually felt in China, foreigners penetrating to the interior were beaten, starved, and finally beheaded for their temerity. But more exacting and more terrific even than the customary law, is that voluntarily assumed by the members of the trade guilds which control the various industries of the country. A consular report of the past year relates that an employer in the gold leaf manufacture infringed a rule of his craft relating to apprentices. He was bitten to death, each one of the one hundred and thirty members of the guild in turn fastening his teeth in the flesh of the culprit.

A people living under such institutions must necessarily be given over to all the vices that form the common heritage of slaves, at the same time that their peculiar structure of society secures to them many of the strengthening attributes of freedom. Out of the condition of continual subjection to physical force, and the fear of bodily and financial harm, have been developed two notable faculties in an inordinate degree : one, that of acute deceit, by which punishment may be avoided and personal benefit ob-

tained; the other, that of avarice, and desire for the accumulation of wealth and the enjoyment of physical ease. For it is a law of nature that people appreciate and value most that which they are in most danger of losing. Out of the same conditions, also, has sprung a disregard of human life which permeates all classes of society. When, thirty years ago, a new emperor ascended the throne, he put to death the counsellors of his father, who, under the stress of necessity, had added somewhat to the privileges of the Europeans. Among the lower orders, the same merciless spirit is shown in the common practice of infanticide; and incidentally and in a less degree, by the almost uniform neglect of the boatmen on the Chinese water-ways to rescue those whom they may see drowning in their immediate neighborhood. The sick are sometimes turned out of doors to die, not merely to save the labor and expense of attention; but to avoid that of purifying the dwelling from their ghosts. It has been recorded as frequently occurring that gamblers, after having lost even their clothing, have, in the northern provinces, been deliberately allowed in the depth of winter to freeze to death. The propensity to gaming, it may be remarked, exists among the Chinese to an extent seen nowhere else in the world. When his last coin or his last rag is gone, the Chinaman has been known to gamble for his fingers—each player, as he loses, suffering the finger to be chopped from his hand. It would be almost impossible to comprehend a character so frantic or so debased, were it not that the statements are made on authority that can hardly be doubted.

X.

VICIOUS ELEMENTS INHERENT IN, BUT NOT IMPAIRING STRENGTH OF, THE CHINESE CHARACTER.

As there is seldom a wide discrepancy between the social circumstances of a people and the laws under which they

live, the social condition of the Chinese might be inferred from what has been already said. It is best proven, however, by their treatment of women. There is every reason to suppose that jealousy was the original motive that led to the mutilation of the feet of females, common from the remotest times among all except the very lowest classes of the population; and the custom may also serve as an example of the brutal directness with which the Chinese pursue any object they may have in view. The women are treated as slaves; are presumed to have no souls; and are in many cases subjects of established and regular traffic. A member of the British Legislative Council at Hong Kong said, nearly fifty years ago, "The traffic in females is too disgusting to detail—the facts are revolting to humanity." Their place in the household is one of abject drudgery; and, as in infancy they are believed to be hardly worth the trouble of maintenance, so in youth they are not thought to be worth the expense of education, save in the arts of embroidery and the like; and when fully grown, are measured only by their value as instruments of labor or pleasure. It is said that the experience of the Chinese women, abject and degraded as it is, has led many of them to a faith, repudiated by their masters, in a hereafter where sorrow does not exist—a faith springing from suffering; the strange fruit of earthly despair.

The debasement of women is a principle that appears to dominate all Chinese society, notwithstanding the fact that at various periods women have had no insignificant part in the government; and that, among the ruling classes, the wives of the mandarins share with their husbands the honors and deference due to the high position. Fromthe foundation of the great dynasty of Han, the Chinese laws have recognized the right of parents to sell their children, and this, as may be supposed, has borne with especial severity upon females; some writers have estimated that one-tenth of the women of China are sold as slaves. Ibn Batuta, whose

travels throw so much light on Chinese life five centuries and more ago, says that it is accounted no disgrace to sell sons and daughters, and dwells with especial emphasis upon the fact that "young slave girls are very cheap in China." It is so to this day, and in these present years of grace it is common for foreign sailors to purchase young females and at the end of their short sojourn in port to abandon them. The current price for a female slave in China is from ten to thirty-five dollars, according to youth and comeliness. The slaughter of the innocents has attracted the attention of travellers in China in all ages. Barrow, who wrote from observation early in the present century, places the number of female infants thrown out to die among the swarms of hungry dogs in the narrow streets of Pekin at nine thousand each year. According to high authority the number of female infants annually destroyed in the Central Kingdom is not less than thirty thousand.

It may be very easily conceived that in such a society religion, as we understand the term, can hardly exist. In all countries, religious or ethical belief is subject to the peculiarly resisting inertia of racial tendencies, and with the Chinese abstract teachings have clearly defined limits when it is sought to apply them in practice. To the average Chinaman the idea of sin as laid down by the theologians and understood by the religionists of the west is unintelligible. To him wrong-doing is the infraction of law laid down by human authority. What legislation has not forbidden, his conscience leaves him free to indulge in, and to him the human law, that is not enforced by the authority from which it emanates, is a dead letter. As there is always a wide margin, commonly indicated by the word "vice," between what legislation can practically prevent and what is desired by sound morality, the Chinese sees no wrong in many things that are condemned as wickedness by the religious, and stamped as infamous by the public opinion of Caucasian peoples.

It may be very readily conceived that in such a society religion, in the Occidental sense of the term, can hardly exist. That the Chinese worship the spirits of their ancestors we have already seen; and as this is the oldest faith that they have ever known, so also it is the only one in which the belief can be said to be in reality more than formal. The creed of Confucius held by the educated classes is simply a formula of materialism, in which morality is taught because of its beneficent results on earth, but in which there is no gleam or glimmer of the higher truths which lead humanity to loftier levels of thought or emotion, or which finds in a future life the rewards or punishments of good or evil. Mahometanism in China is even less in morals and ethics than it is in Turkey or in the Barbary States; and Buddhism there retains no spark of the lambent light which shone on India in the earlier days of the cult of Guatama. The Chinese character—intellectual, moral, or emotional—appears to have in it nothing of the religious element, as the term is understood among other races. It has successfully resisted or debased creed after creed that has found either a temporary or permanent place within its borders. The soiled streams of Mahometan and Buddhistic belief found deeper soilure in the degraded ideas of the Chinese, while the purer faith taught by the Nestorians a thousand years ago was extinguished by fire and sword; and the efforts of the Roman missionaries, fervent, earnest, and continued through centuries, have grasped only a spotted handful here and there from the sodden harvests of Chinese belief. Whatever may be claimed as to the successes of the missionaries of more recent times, or other churches, we shall see further on that they afford little encouragement to Christian hope; and if in the future they shall bourgeon into promise of greater fruitfulness, it must be under conditions widely different from those that now exist.

XI.

SOCIAL AND ADMINISTRATIVE SAGACITY OF THE CHINESE.

HAVING considered those characteristics which belong to the Chinese as a practically homogeneous people, and which are common to all grades and classes, we may well ask by what standard of intellect and attainment this colossal population is managed and controlled. In other words, our study now leads us to an examination of the status for governmental purposes of the dominant classes. These include, of course, the emperor and his subordinates, the mandarins. Forty years ago, these latter were stated as numbering somewhat less than fourteen thousand scattered through the country, together with two thousand four hundred at the court. These belong to the civil branch of the government; the military mandarins numbered eighteen thousand five hundred. The former, however, rank the highest in point of popular respect and administrative power, and with them mainly lies the control of the vast empire. They are, and have been, for many hundred years, drawn from all ranks of the people; their promotion through the several grades being dependent upon their proficiency in literary studies and their success in passing literary examinations. As these studies are those that have been accepted and formulated through many centuries, the officers of the empire are necessarily imbued with the popular reverence for antiquity, and are fixed and riveted to established usages. As the examinations are competitive, it follows that the strongest intellects are those which rise the most readily and rise the highest. As craft and subtlety have no less scope in this than in any other department of effort, it results that the keenest minds come soonest into power and longest maintain their place on the treacherous sands of official responsibility. As politeness, not less than the

other characteristics we have mentioned, is always an element of success, those who combine urbanity with the stronger intellectual traits are first to receive the management of questions of state requiring high administrative skill.

Reasoning from such data, we may infer with certainty that both the home and foreign policy of China is founded on far-sighted ideas of national welfare, and is carried into effect with no inferior degree of executive talent and experience; but this conclusion need not rest on inference only. It is demonstrated by what is known of the civil policy of China during many centuries past, and foreign ambassadors have not been slow to concede qualities of consummate statesmanship to the high officials with whom they have been brought in contact. These qualities are displayed in the strict ceremonial by which the honors of office are held before the eyes of the populace, in order that authority may receive its full meed of the respect which tends to insure obedience to law; each grade among the mandarins being entitled to special observances of regard from all below, and the emperor being held as the incarnation of all that is to be reverenced by men. They are shown also by the extent to which the people are regularly informed of all that is believed necessary for them to know, and yet systematically misled in whatever becomes the interest, for the time being, of the government to withhold, as was well illustrated after the victories of the English, when the Chinese throughout the empire were made to believe that the invaders, instead of being victorious, had paid tribute for permission to retire from Canton. They are illustrated in a stronger degree in the mingled force and acuteness with which the outlying dependencies are held in allegiance to the Central Kingdom, a leading example of which exists in the political subjugation of Thibet, which is ruled through a Grand Lama whose appointment by sinuous methods has long been con-

trolled by the emperor. The same craft and astuteness were also displayed in the influence brought to bear upon Nepaul as against the interests of Great Britain, and with the manifest intent of maintaining an independent State as a barrier between British India and the western confines of the empire. The statesmanship of the Chinese rulers is further shown in the systematic knowledge of the condition of the outside nations, and the manner in which the imperial policy has been modified according to the necessities indicated by external circumstances.

A few passing references to historic events will illustrate this. A thousand years before our era, foreign embassies passed from India to China, and from that time to the present there has been no exigency requiring the exercise of astute foreign diplomacy that has failed to call it forth. Wherever interest, whether of trade or of policy, has made it requisite that the representatives of China should pass to foreign governments, they have done so. And what is now deemed a step forward on her part in sending envoys to the United States and the western powers is but a recurrence to what she has done, on occasion, during many centuries. In the year 141 B.C., the Emperor Woo-te sent embassies to encourage foreign trade, and twenty years later his successor sent a plenipotentiary, with a retinue of one hundred persons, to visit the regions of the west; and only twenty years later still, the Chinese Emperor received tribute-bearing embassies from Japan. Two centuries and a half after this a similar tribute came from the King of India; and after this in rapid succession were embassies from Rome and India; and so onward, although at comparatively long intervals, down to the present time, ambassadors have been sent and received by the Chinese Government. Where Chinese interests have required it, her embassies have gone forth with pomp to distant nations, and, in like manner, when she had no purpose to serve, those of other countries have been met with the same pomp

harnessed in the guise of contempt. But whatever her course, there has seldom been an instance in which, from her standpoint, her methods have not been dictated by a far-sighted and enlightened regard for the welfare of her people.

We have already seen that more than two thousand years ago she encouraged trade with nations less powerful than herself, and that in the ninth century her ports were open to the commerce of other lands. This was continued down through the sixteenth and seventeenth centuries, and we have no record of systematic opposition to foreign commerce so long as the nations from which it came were comparatively weak. Two centuries ago the continent of America was almost a wilderness, and Europe was composed of small, despotic, and far from prosperous States. But the spirit of commercial enterprise, directed by statecraft and supported by force, was rampant among the people of the west, and during the latter part of the eighteenth century aggrandized the western powers. In proportion as these, which form the world external to China, grew great and prosperous, in proportion as their military strength and commercial enterprise increased, just in this same ratio did China close her seaboard to foreign access. It was not for nothing that the Chinese rulers foresaw that the rapid strides of Caucasian civilization would render them dangerous in the same degree that they were permitted to obtain a foothold on Chinese soil.

Nor was it alone the material advancement of the western nations that bore out this policy and justified this principle of national action. The spread of liberty which has successively changed and modified the administration of every government of Europe, saving that of Turkey, would have been inimical to the permanence of the Chinese political hierarchy; and it is not without interest and instruction that we learn that it was a knowledge of the French revolu-

tion that, in the latter part of the last century, caused the authorities of China to restrict the privileges of foreign traffic, to attempt to exclude foreigners from Canton, and to commit other works of *quasi* hostility which were destined ultimately to end in war.

Nor is the statesmanship of the Chinese displayed in a less degree in their home policy. Every Chinese male is registered, and he can depart to no corner of the earth but his place and locality are known, and the idea of fealty to his native land kept before him as a governing principle. He belongs to his country during life, his country watches his course from the cradle to the grave, and indicates his burial-place when life has departed. Within a few weeks after the unhappy occurrences in Colorado in 1885, a report of the Chinese Consul gave the name and age of every Chinaman injured or killed, the place of his birth, and his nearest relative in China. The system of espionage extends even to business relations, and its thoroughness and accuracy are sometimes surprisingly displayed. When, in 1839, the opium was delivered up by the British at the Bogue forts, the Chinese Commissioner, Lin, was aware, before any account had been rendered, of the exact number of chests of the drug on board the several vessels in the harbor. The paternal character of the government, as well as the rugged statesmanship of the Chinese, is further illustrated by the fact that this opium, upwards of twenty thousand chests, and having an actual value of six millions of dollars, was totally destroyed. The ferocity with which their laws are executed, to which allusion has already been made, is also further illustrated by the fact that a miserable creature who attempted to carry off some small pieces from the general destruction was, on detection, immediately put to death.

Such is the Chinese nationality; such are its people; and such its rulers. It only remains for the completion of *our analysis of this* people, to consider their purely physical

conditions, as we have already considered their industrial, political, and moral nature.

XII.

PHYSICAL NATURE OF THE CHINESE.

THE Chinese are children of the temperate zone, and have developed under the influence of a climate sufficiently cold and variable to insure considerable strength, together with great endurance and elasticity to the physical frame, and yet warm enough to yield in abundance the staple food of more tropical lands. Rice, in the larger part of the kingdom, has been from time immemorial the principal sustenance of the people; and the fact that they have not deteriorated to a greater extent under the influence of a crowded population and, with many classes, of a comparative insufficiency of food, is doubtless because this grain contains a larger proportion of phosphates than any other, and thus renders possible the full development of brain and bone even when ordinary nutrition is diminished. Physiologically considered, the organization of the Chinese is coarse, as is indicated, for example, by the hair, ordinarily so thick and strong that they, by comparison, liken that of Europeans to soft and downy fur. This coarseness of physical fibre has, however, for them, one great advantage, for, as is the case with animals, they recover from all kinds of accidents, wounds and bruises with much greater rapidity and, as one writer has stated, "with fewer symptoms of any kind of danger," than is the case with Caucasians. As concerns ability for labor, they are generally considered as possessed of great endurance rather than of great bodily strength. It was calculated that, of those employed in the construction of the Pacific Railway, it required five Chinese laborers to do the work of four of those of our own country; and I was informed in Nevada that while they were ad-

mirably fitted for lighter work, they were unable to perform the heavy labor in the deep silver mines. Yet this opinion, upon the testimony of many who have been familiar with the Chinaman at home, is subject to modification in their favor. One writer says that "a more powerful race of men exists nowhere than the coolies of the port of Canton," and that "the weights which they carry with ease on a bamboo would break down most other Asiatics." And another, in speaking of the bearers who carried him in a sedan-chair over a precipitous road, declares that though "clad in a few rags and looking as emaciated as if just ready to fall down dead," they were very strong, and that a well-fed horse could not have carried the burden—which of course was borne by two men—with the same ease, speed, and sure-footedness. They are conceded to be much stronger and better sailors than the Lascars often shipped on British vessels on the eastern seas. In point of endurance their low nervous organization—for the Chinaman certainly seems far less sensitive to physical pain than are the people of any other civilized race—secures to them a manifest advantage. In resisting the effects of hunger and cold the Chinaman is the equal of any, savage or other, on the face of the earth. In any event, it is to be remembered that the number of occupations in which his strength is inadequate to the greatest performance possible with laboring men, is comparatively small. It should be kept in mind that, both in civil and military pursuits, the value of physical strength, pure and simple, has been constantly diminishing for more than two hundred years. What gunpowder and arms of precision have done to degrade the value of physical prowess in war, improvements in implements and machinery have done to debase the value of physical strength in arts and industries, and the Chinaman is equal to all the demands, whether of peace or war, of civilized or barbaric existence.

Among the Chinese, the usual marriageable age is

fifteen with both sexes. They marry young for the reason that the male children become at an early age a source of profit to their parents, and the marriages are usually prolific. Such being the reason—instead of early maturity, as in tropical or semi-tropical climates—there is not that premature old age among them which one would otherwise expect; for although the proportion who reach seventy years is perhaps less than in Europe or America, probably the number that are capable of severe labor at the age of sixty is equal to that of any other country. In the eastern provinces especially, the largest and most populous of the empire, the people are hale and hearty, and have well been characterized by a close observer as "a great and healthy mass of human beings, athletic and industrious, and capable of the most enormous and unwearied industry." That life in China has reached a certain balance—an equilibrium between the influences which sustain and those which destroy—is manifest when we consider that by far the larger portion of this immense population live in the depths of indigence, and under conditions of life that, if endured by the people of other civilized countries, would quickly reduce them to mental and physical inanition.

Some of the causes of this we have already considered, but there is still another not less important. Owing to the low ebb of medical knowledge among the Chinese and the hardships incident to the lives of the masses, the weaker among the children die early, and only the stronger survive to perpetuate the race. This, continued through a hundred and fifty generations, has produced the physical type of the people; a type in which a maximum of mental activity and muscular endurance is derived from a minimum of comfort and nutrition.

XIII.

SEVERITY OF CONDITIONS OF LIFE IN CHINA.

THE fact that the extent of the population has been limited only by the means of subsistence, has produced the rigorous and severe conditions of life and society which provide to the Chinese the strongest motives for leaving their own country, when the barriers of emigration are thrown down, and at the same time render them most dangerous competitors wherever they may find their way. In their own country their condition is manifested by the crowding of their dwellings, by low rates of wages, by a small scale of business when they rise above the status of mere laborers; and by the narrowest profits on any ordinary business transaction, and by the desperate penury which assails the laboring population at every turn. In their necessities they have laid hold of every material for food that will sustain life—on however low a plane. The common belief that they devour rats, mice, and snakes is no myth, but rests on testimony too strong to be disputed. The common rat reaches a great size on the rich alluvials and is hunted by the full-grown Chinaman as a desirable morsel, with as much gusto as a rabbit is snared by an American boy. With them dogs and cats sell in the markets for the same price as the flesh of swine. Even the mineral kingdom is laid under tribute, and it is common to mix gypsum with grain to form a jelly which is used for food. Two pounds of rice per day meets the wants, and often exceeds the expectations, of the Chinese laborer. Often a much less quantity supplemented by salted fish or by vegetables, especially by the leaves of a huge cabbage which the Chinese raise in enormous quantities, and which, as prepared by them with vinegar and salt, is probably the original of the sauerkraut of Europe, forms the staple food of *the laboring* Chinese. Frequent inundations,—that which

occurred on the Yellow River but a few weeks since destroyed two millions of people and wasted the substance of myriads of others—seasons of drought, swarms of locusts, and other disasters, weigh heavily upon the masses, for they live continually up to the limit of their miserable resources with no margin to cover misfortune.

The home of the coolie is utterly devoid of comforts. At his meals the whole family sits a-squat around the large pot which, with a frying pan and a few earthen jars, constitutes the furniture of the dwelling. The bed of the average Chinaman at home consists of boards supported on saw-horses and covered with a mat. "In judging the Chinese" says an English historian, "it ought never to be forgotten how fearful is the struggle for daily subsistence. The entire produce of the land is but just capable of maintaining the population; millions have no other thought save that of obtaining by toil sufficient to ward off starvation to themselves and their families." Amid so much of suffering the precepts of charity concerning others and the principle that its benefits should begin at home inevitably collide. But the Chinese coolie has reconciled their inconsistency. He will not deny a beggar, but custom sanctions the gift of as much rice as will lie on his thumb-nail. Nor is this devoid of the practical common sense inherent in all grades of the people of China. The infinitesimal dole can hardly injure the poorest donor; with diligence the donee can manage to keep body and soul together, and yet is hardly encouraged to mendicancy by the extent of the bounty.

The houses of China vary in construction in different portion of the country. In some parts they are of brick; in others, built of mud laid up the same as concrete walls are sometimes made with us; in others, the sides are composed mainly of matting coated with mud; while in one large district the habitations are dug in the earth and form a system of caves or subterranean dwellings. Even in the large cities a family of ten persons can live for about four

hundred dollars a year, including clothing and food, and with the unusual accommodation of a whole dwelling to themselves. The expense of living to a laborer is stated at from two to two and a half dollars a month, which includes food, clothes and rent. Away from the cities the expense is reduced fifty per cent. In some cases from fifty to sixty people inhabit a single dwelling, which reduces the expense to each still further. The Chinese emigrants at Batavia, the Dutch capital of Java, showed in each house ten men fit to bear arms.

Under such conditions, comfort, health, and morals must be reduced to the lowest degree. This is illustrated by the fact that in the north of China the beds are made larger or smaller in proportion to the family, are constructed of brick and are warmed by small stoves. The usual size of Chinese houses, except among the limited wealthy class, is thirty feet long, ten wide, and eight high, with streets from ten to twenty feet broad running parallel between the buildings, and crossed by narrow and dirty lanes ; and, according to observant travellers, " neither table, chair, nor other article of furniture can be seen in the dwellings of the poor."

The rates of wages correspond with the squalor and dire necessities of the modes of life. A traveller in China, who wrote about fifteen years ago, states the wages of an agricultural laborer at from eight to ten dollars per year and board, Out of this he pays eighty cents tax ; a dollar is devoted to the tablets which in even the poorest dwellings are placed upon the walls as objects of worship; two dollars for rent, and the balance for clothing for himself and family, and food for the latter. The wages of a female laborer are stated to be from four to five dollars per year, without board. The taxes are onerous upon all classes and bring down the twenty-two cents per diem, boarding themselves, of carpenters and masons to about the wages of the laborer in the field. Medhurst, an English official who resided in China *for many years,* states the suffering of the people from

poverty as "indescribable," and that a man working from morning till night obtains about four pence, which may be fairly translated as eight cents, for the sustenance of his wife and children.

Neither does skilled labor fare much better. In the cities, a tailor, though protected by his guild, receives only from four to five dollars per month, if supplied, in addition, with his food, which is estimated at a dollar and a half. For this, says the authority—a consular report—from which I quote, "he toils unceasingly, except on the last five days of the year, the first ten days of the new year and four other holidays." As concerns the farm laborer, "the average wages of an able-bodied young man is twelve dollars per annum, food and straw shoes." If he be steady, temperate, industrious, and economical he saves eight dollars per annum, and the accumulations of ten years will enable him to become the possessor of one-third of an acre of land. Such, it is stated, is the outlook for the laboring Chinaman at home. Contrast it with what he beholds afar when he listens to the tales of his countrymen from California or Oregon, a land in which the offal cast into the streets is better than his daily food, and in which, even at the lowest rates, his wages may be twenty-fold what he can hope for in China.

The intensity of the struggle for existence is shown by the small scale to which business is subdivided, and this latter is illustrated by the copper coins which constitute the usual medium of exchange, and which form the smallest currency in the world; silver being used only for the larger transactions. An undertaking requiring one hundred dollars of capital is frequently divided among numerous shareholders. It follows that, money having relatively so great a value, the slightest profit is acceptable, and hence in all ordinary transactions bargains are made upon a margin that would be deemed impossible in other countries. As one writer has said, "the Chinese will refuse no money in selling if they can be ever so little gainers." Of course,

where business is conducted upon so narrow a limit, slight depressions in the general prosperity of any district produce extreme suffering, such as, for instance, has often resulted from famines. Eleven years ago, in the provinces of Shantung and Chih-li, a drought destroyed the crops, and as soon as the reserve of food was consumed the people resorted to chaff, the bark of trees, turnip leaves, etc., and were finally reduced to devour the half-decayed sorghum stalks of which the roofs of their rude buildings were composed. It was this famine which was so great that in one place a shop was opened for the sale of human flesh, and many thousands of children were sold into slavery in order that their parents might sustain life upon the proceeds. Aid was given from the other provinces, and it was said, apparently with truth, that but for such assistance not one-half of the population would have survived until the ripening of another harvest.

Even under ordinary conditions the destitution is very great, and beggars are brought to almost unimaginable depths. In some cases systematic relief is afforded ; but the kind and character of this assistance only further shows the necessities of the people. In Pekin there was long since established a phalanstery, which in Chinese was termed "the House of Hen's Feathers." This was a large building, upon the floor of which was a thick layer of feathers, over which was spread one immense coverlet, provided with innumerable holes, each large enough for a human head to pass through. The lodgers—men, women and children—buried themselves indiscriminately in this mass of feathers, each thrusting a head through one of the holes, and each paying the value of a tenth of a cent for a night in this dormitory. In the morning the noise of a *tam-tam* afforded the signal for lifting the coverlet by a pulley suspended from the ceiling, and for starting the mendicants each upon his way.

Such are the conditions of life with the working multitudes of China, a population of which, from the best data

available, may be reasonably calculated at seven hundred and fifty millions, confined within a territory of twelve hundred and eighty thousand square miles, or six hundred and twenty to the square mile. "The mere habitations," says Abbé Huc, one of the most noted and accurate among recent travellers in China, "seem to cover the whole land"; and again, "often you meet huge cities containing not less than two or three millions of inhabitants"; and again, "the mind endeavors vainly to penetrate the future of a race so numerous that the land will no longer hold it." The northern, western, and southern boundaries of this region are formed by the dependencies of the central state. Each of these tributary countries has a less capacity than China proper for sustaining a numerous population, and all have already reached the maximum they are able to support. In adjoining regions, that is to say, the countries to the west and south beyond the Himalayas, the conditions are the same. For although the British taskmaster gathers wheat for export from the ryots of India, the productive capacity of the soil is hardly equal to the needs of the population, as is evidenced by the famines of frequent occurrence, in one of which, but a few years ago, more than a million of the natives died of starvation. The only outlet, therefore, for the population of China is to the westward, to Australasia, and to the distant coasts of America. Toward these, when existing obstructions to Chinese immigration are overcome, the population of China must as naturally flow as the waters of pent-up rivers flow to adjacent lowlands when the levees are broken down. Thus the prospect of the near future (for fifty or a hundred years are but a brief space in the life of nations) is that the outflow of this great people, with its ingrained characteristics and its hoary institutions, will sweep down upon the slightly settled western portion of this continent, especially upon that richest part of the Pacific slope where the presence of the Asiatics has already produced mischief and discontent.

XIV

ORIGIN OF MODERN RELATIONS BETWEEN THE CAUCASIAN AND THE CHINESE.

BUT before proceeding to a consideration of Chinese immigration, as it affects and is likely to affect the interests of our own country, it may throw much light upon our relations with China if we consider how those relations began, and how they have been evolved to their present degree of intricacy and importance. We shall find that our course has been tributary to European interests, detrimental to our own, and counter, in many instances, to the plain dictates of international justice.

In this connection we may review in brief the course pursued toward China by the Western Powers during the past three-fourths of a century. It has been a record of iniquity; it is unjustified and unjustifiable upon any principle of Christian ethics. In it lay the germs of colossal dangers with which our own country is now confronted, for without it there would have been no material breaking down of the twin principles of Chinese policy—the exclusion of foreigners and the retention of her people within her own borders.

The origin of the Chinese question of to-day lay in the action of Great Britain in forcing the opium traffic upon China, and this in its turn arose from the unholy conquest of India by the same power. After the superficial spoils—the gold and diamonds and varied wealth of the Indian treasuries—had been absorbed, there remained the serious question of supporting an alien government upon resources drawn from an already overburdened and impoverished people. This was solved by the merciless faculty of organization inherent in the Anglo-Saxon. The people of Hindostan comprised two classes, the one the ryots, or cultivators of the soil, who occupied their farms or holdings

theoretically as tenants at will from the government, but in fact by prescription amounting almost to freehold title so long as the taxes were duly paid ; the other, the zemindars or local magistrates, who were the agents by and through whom the taxes were collected. The British system ignored the former, and dealt with the latter as the actual owners of the soil, and thus accomplished the double object of crushing the masses into helplessness and of luring the local native officials into accord with the foreign administration. But although the taxes became by this method certain and easy of collection, they failed to supply the necessities of the state, which comprised not only the support of a foreign military and civil establishment, but the contribution to Great Britain of a large annual return. As the ordinary produce of the soil could not yield the requisite amount, a subject for special and extended revenue was sought. This was found in the inspissated juice of the white poppy of Bengal, a product worth, weight for weight, more than one-third the value of silver in the markets of the world, and the possible production of which was limited only by the limits of land and labor. By means of forced contracts the ryots were compelled to cultivate the opium plant and to sell it to the administration at prices fixed by the latter. This made the ryot practically a slave, and placed a monopoly of the drug in the hands of the East India Company, and, after its dissolution, in the hands of the British Government direct. In one province where this was effectually resisted the price was maintained by internal customs-duties which taxed the article heavily as it passed to other parts of the country. It needed only an open market to secure from this source a public income of many millions beyond what could otherwise have been drained from the people of India. This market was secured at first by fraud, and later by the sword, among the people of China.

The Chinese, to a notable degree, are prone to sensuous

enjoyment, and had long found in opium a source of pleasure at little pecuniary cost, although at a fearful expense of health. But so severe were the repressive means of the Chinese Government that the habit was held in check to an extent never elsewhere accomplished with any form of dissipation. The importation of the drug was forbidden under penalty of death. Through the vigilance of the officials the quantity introduced by smuggling was extremely limited, and the cultivation of the poppy for opium-growing purposes was restricted to one or two small localities. This immunity from the scourge continued until the British possession of the Carnatic, when, it being apparent that opium would be the one great staple of export, the financial condition of these dependencies rendered its sale abroad a matter of vital import to the maintenance of British power.

The opium trade began with an armed vessel sent out by the goverment of Bengal. It was continued by private armed cruisers, fitted out to resist the Chinese Government vessels in their attempts to prevent the introduction of the drug, and which acted as receiving and distributing ships at convenient places along the coasts. In proportion as the illicit trade increased the Chinese Government redoubled its efforts to prevent it. Those who purchased and those who smoked opium were devoted to a hundred strokes of the bamboo, and to wear the *cangue* or portable pillory, a large square wooden frame resting on the shoulders, with a central opening for the head—for two months. If they refused to reveal the vender, their punishment was doubled —with the addition of three years of penal banishment. This was for ordinary offenders; like offences by mandarins met with greater punishment. In spite of all, the traffic increased until in the first third of the present century every port from Canton to Tartary had been supplied with clandestine opium. Within gun-shot of the Chinese port of Canton half a-dozen vessels, under foreign flags, and pro-

tected by foreign governments, lay continuously at anchor, laden with opium. Smaller vessels—tenders to these receiving ships—sailed up and down the river, manned with armed men, and supplied the article in defiance of all the authorities. It was in this manner that England opened the market for the Indian product. And a peaceful nation, striving to shield its people from one of the greatest scourges that ever afflicted humanity, was in a few years assailed by armed squadrons, its fortified cities stormed, its people slaughtered, and its government brought, against its will, into direct relations with other countries and compelled to witness the debasement of millions of its people by the use of a drug that destroys physical and mental health, which renders manhood miserable, and old age degraded. The import of opium into China amounts to upwards of seventy millions of dollars annually, so that seventy-five per cent. of all the exports of tea and silk are paid for by the infernal drug ; and the quantity consumed, including the native growth, is more than twenty-one million pounds, or ten thousand five hundred tons. The extent to which the consumption of this drug has debased the energies of the people and induced profligacy and poverty, cannot be measured. Nor does the mischief end with this, for, the industrial capacity of the people being diminished, the property and products subject to taxation are lessened, the difficulty of collecting the revenue is enhanced, and the administration of the government is retarded. Nor is this all ; the markets of China being thus forcibly opened to the foreign drug, it was found useless to attempt to restrain its home production. The extended cultivation of the poppy, in a country where all the arable land is tilled, necessarily displaced the production of cereals to a proportionate degree and the result has been, in some of the provinces, a material diminution of the food supply.

This perversion of the cultivated lands of a densely populated country is productive of evil even beyond that

previously inflicted by the importation of the drug. For example, in the remote province of Kwei-chow, one of the most thinly populated in China, the opium poppy has, during nearly thirty years, been cultivated to the diminution, to a proportionate degree, of the wheat, barley and similar food crops, and with corresponding diminution in the food resources of the people. The *morale* of the population has been impaired, for the major portion of the opium product has been consumed at home. The increased indolence, carelessness, and poverty invited pestilence and famine, and a province having formerly six millions of people has been reduced to one million ; the population of one town was diminished from fifty thousand, to six families only, of its original inhabitants.

Similar results have followed in even the wealthiest provinces. In that of Sze-Chuen the price of rice has doubled, the wheat, barley and other food crops have been to a great extent displaced by the poppy, and the cost of living to the laborer has thus been practically doubled, which is only another way of saying that his wages have been reduced one-half. This region, from its fertility and accumulated wealth, has organized the production of native opium to a high degree, and not less than the value of three millions of taels or about four and one-half millions of dollars—equivalent in purchasing power to ten times that amount in the United States—of the native product is exported annually to other parts of the country. The extent to which the scourge has been fastened upon the vitals of China is shown not only by the utter nullity of all attempts of the government to suppress the native production of opium—it was twice prohibited by imperial proclamation in one period of five years, once in 1865 and again in 1869, but each edict proved a *brutum fulmen* only—but by the further fact that twenty years ago it had brought the import from India to an almost stationary figure. The import of foreign opium rose from four thousand chests in

1799 to twelve thousand in 1829, to forty-five thousand in 1849, to nearly seventy-five thousand in 1859, and to nearly seventy-seven thousand nine years later. The ratio of increase in consumption of the drug is indicated by the rate of increase in importation from 1799 to 1859. While the importation since that time has been relatively light, the increase in consumption has continued, and this increase has been met by the native drug. The growth of opium, says the authority from which these *data* are taken, "has gradually spread into every province of China." Its cultivation "is very profitable and consequently increasing everywhere"; "although the consumption in China increases year by year, yet year by year does the cultivation of the poppy also increase"; "at least one-half of the opium produced in the province of Yun-nan is consumed on the spot, while the other half is exported to the adjacent provinces"; "of the Sze-Chuen opium about twenty-five per cent. is kept for local consumption, forty per cent. goes to the northern provinces, and thirty-five per cent. is disposed of in the provinces watered by the Yang-tse"; "the cultivation of the poppy is daily increasing"; "for centuries it has been the proud boast of Sze-Chuen that it produced in itself most of the products required for human use, whereas at the present day, owing to the conversion of the hillside and valley paddy (rice) grounds to poppy cultivation, this province imports rice at the incredible wholesale price of five dollars per picul" (a picul is 133 pounds avoirdupois). "In the northern provinces it is calculated that at least one member of every family smokes opium." These quotations are from British Consular Reports. A like authority states the production of native opium in 1874 to have been twice that of the preceding year. In four years' time the great plain of Sanpo, where scarcely a poppy raised its head, became a "vast and ever-extending opium farm." The cultivation has reached even into Western China, and is extending throughout the whole of Man-

chooria. Such is the legacy of deviltry and misfortune forced upon China at the cannon's mouth in the name of "Christian civilization," and "British trade."

The motive which induced Great Britain to force the opium trade upon China still exists; for the Indian Government derives at this present time each year a profit of eight million pounds sterling, or forty millions of dollars, from its opium monopoly, and without this the British power from Cape Comorin to Lahore would in twenty years vanish into air. It is not without interest, in this connection, that we trace the cry of protection to American commerce in the Chinese seas in part to the participation of Americans in this iniquitous traffic. It was certified by the United States Legation at Canton in 1858, that "the most active opium business in any single ship was carried on in a steamer built in New York, and floating the American flag." At that time, upwards of one-quarter of the opium was carried in American vessels. Had there been no opium war between Great Britain and China and no attempt on the part of our people to share in the advantages of the trade, there would have been no Chinese question on the Pacific coast of the United States; for in the political as in the organic world foul seeds spread rapidly their noisome growths to distant places, and bear their rank and bitter fruit under circumstances the least foreseen.

With the success of the English in securing trade with China came the desire of other countries to profit by traffic with this remotest East. The French soon joined with the British. The Dutch, who, under severe restrictions, had long traded with China, were quick to assert their claims. Then came Germans and Americans, and all together united to force upon China a policy repugnant to her national ideas, and contrary to her traditional usages in commerce and industries. In all these aggressions the interests of the United States were of the slightest account, and the profits from our ill-advised interference have been less than the

price of the birthright of Esau ; for in return for our little gains we have had cast upon us one of the weightiest problems known to historic times. We can only appreciate the relations with China of the United States, and of the western powers, by an analysis of their demands urged by diplomacy, and enforced by cannon-shot.

In doing this, we should remember that China was a nationality independent and established ; one that dated from the remotest ages ; one possessed of a distinctive civilization; and one which had for its leading political idea non-intervention in the affairs of the nations whose people came from the distant seas : and one that had demonstrated for itself the wisdom of this policy by a normal and colossal growth. Her institutions were the outgrowth of five thousand years of slow but permanent progress ; her social customs had been handed down from generation to generation for fifty centuries. These usages and customs were hallowed by antiquity and were the object of idolatrous reverence on the part of the entire people. Yet for their own benefit, and not for hers, the distant nations have temporarily succeeded in subjecting this great country to indignities that they would not have dared to propose to each other, and to which not one of them would have submitted for an hour.

Thus, by force of arms, China was compelled to permit a traffic which, in the course of twenty-five years, reduced the normal increase of her population from three per cent. annually to one per cent. But this was but the entering wedge to foreign demands.

The same era that initiated British power in India, and the evil and rapid development of her East Indian policy, witnessed also the invention of the labor-saving machinery which, especially in textiles, in less than half a century made Britain the leading manufacturing country in the world. But the rapid and cheap production of goods required a market for them if the profits of English industries were

to be maintained. The same ideas prevailed, and the same principles were followed in this regard as with the opium trade. The whole public opinion of Great Britain became purulent with the demands of "British trade." Not content with underselling in their own bazaars the products of the simple Hindoo handicrafts, British manufacturers and merchants turned longing eyes upon China, and the most exuberant expectations were indulged as to the golden streams which should flow into British coffers when her sealed territories should be "opened to the advantages of civilization and the blessings of religion," the well-known synonyms of "British interests." To continued aggressions China opposed a stolid patience and careful diplomacy which not infrequently foiled for a time the direct brutality of the foreigners. It was nevertheless impossible, in view of the unrelaxing pressure of the latter, that hostilities should long be avoided, and the British assault on Canton, in 1848, was followed by the cession of Hong Kong and by the establishment of the four open ports. This success formed the basis of new demands, and Great Britain waited only until a pretext could be manufactured for further attack.

This came in 1857, at a period when China was suffering from internal misfortunes which weakened her in no slight degree. At that time the Tae-ping rebellion, to which I shall recur in speaking of the influence of the foreigners upon the condition of China, was in full blast. Several of the provinces were in indescribable anarchy and filled with insurgents. In the great province of Ho-nan famine had reduced the people to the extreme of misery. The two Kiang provinces had been swept by locusts, the crops destroyed, and the people reduced to semi-starvation. Says a historian of the Tae-ping revolt, "what with rebellions, inundations, famines, and locusts, the country presented a most lamentable appearance ; in many of the provinces rice was selling at five times its usual price." It was at this time and under these circumstances that "the government

of her most Christian Majesty" instituted, on a pretext framed in naked mendacity, the second war with China.

In October, 1856, a Chinese *lorcha*, the "Arrow," belonging to a class of vessels often employed in piracy on the harbors and rivers of China, was found sailing, without a shadow of right, under the British flag. She was captured by the Chinese officials in the exercise of their lawful authority. Immediately the British agents spread abroad the falsehood that a British colonial vessel had been fired upon. A British vice-admiral was at hand to administer "castigation." Canton was bombarded and captured, and further concessions were exacted from China. It may be well to remark that this iniquity, to the extent of our ability was shared by the United States. Commodore Perry, then in command of the American squadron in the Pacific, *ko-toed* to the British commander, approved his proceedings, and echoed his utterances; and the American flag was carried by an American sailor side by side with the Union Jack through the breach at the storming of Canton, although we were at peace with China, and our people had no possible excuse for meddling with the affair. During these commotions, foreign influence was extended to favor the rebellion of the Tae-pings. At a later date occurred the capture of Pekin by the French and English forces, the looting of the imperial palace, and the long succession of outrages alien to the laws of civilized warfare which characterize European military operations in the East.

XV.

IMMEDIATE RESULTS OF INTERFERENCE WITH AFFAIRS OF CHINA.—BRITISH TRADE AND TAE-PING REVOLT.

THE immediate effects of the invasion of the territory and domestic tranqulility of China were many and great, and extended far beyond the limits of commercial and in-

dustrial affairs. They disturbed not merely the material interests of the people, and the authority of the state over its subjects, but also the equilibrum in faith and custom which for many ages had contributed in an exalted degree to the internal peace of the empire.

Where good intent and evil works are blended the mixed account commonly shows a balance-sheet in favor of the Prince of Darkness, especially if the agencies of the one depend upon the energy shown in the other. It has been the fault and misfortune of the British missionary that everywhere he has been the precursor or practically the associate of the British soldier and the British factor; too often have orisons in Anglo-Saxon speech been preceded by the rattle of Anglo-Saxon drums, advancing in the interests of "British trade." Hence it is that I have here to relate—though holding as I do most deep and reverent regard for those who in any part of the world spread the glad tidings of the Redeemer—how it was that the Taeping Revolt, one of the most remarkable in the history of the world, was an immediate result of the invasion from the west. For any consideration of the influence of the Caucasian upon the Chinese would be futile without a reference to this, a rebellion which involved tens of millions of people in its progress and devastated China for twenty years. In view of its character and results one can readily understand why the government of China has sometimes looked askance at the well-meant efforts of the evangelist as hardly less dangerous than the aggressiveness of the trafficker and the man-of-war. The causes of that rebellion and the means by which it was suppressed, together cost millions of lives, prejudiced the Chinese people and the Chinese government against the creeds of Europe, and retarded the successful introduction of Christianity into China perhaps for many ages. There is a genesis of evil which seems to contaminate even things good in themselves when associated with it in its successive and evolving conditions;

and it is instructive to note how the well-meant efforts of ardent and honest men may result in all that they abhor when such efforts are mingled with, and dependent upon, a political policy in itself iniquitous. The British missionary worked, not under the precepts of the Prince of Peace, but under the protecting inspiration of British guns, and his labors, perverted and misunderstood, carried with them an anathema maranatha to hundreds of thousands of the people of China. The manner of it was this :

About fifty years ago the Scriptures were translated into the Chinese language by one Morrison, whose work, though laboriously and conscientiously performed, was so erroneous and incomplete that it was soon laid aside. But in the interval a copy came into the hands of a comparatively illiterate but ambitious native convert, Leang-Afah, who framed from its texts, and from his own clouded ideas of their meaning, a series of tracts which he distributed in the streets of Canton. At that time in one of the interior villages of China dwelt a youth, Hung-Siu-Tsuen, whom poverty hindered from achieving success in the annual literary examinations, and year after year he failed to secure the coveted degree. In one of his visits to Canton he secured the tracts of Leang-Afah, carelessly read them, laid them aside when he reached home, and for the time forgot them. He became partially insane ; he wandered crazily about the village ; at length in a fever that confined him to his couch his disordered imagination called up visions before him ! In his convalescence he re-read the tracts of Leang-Afah and convinced himself that in them he found a confirmation of his dreams. He went to another province and made proselytes. They gathered peacefully in their little convocations until their numbers increased and they then became iconoclasts, not content with breaking their own idols but also incontinently destroying those in the temples of other people. As the movement enlarged the half-insane youth grew to the full stature of a leader of

men. He studied the ancient military systems and organized his forces according to the rules laid down by the early generals of the empire, or as the historians have it, he "followed closely the Sze-ma military system inaugurated by the dynasty of Chow." The rebellion began in the year 1850, and the whole work of organizing the armies down to the minutest detail had been completed within the preceding twelve months—no inconsiderable evidence of the executive and organizing ability of the Chinese.

Thus prepared, this warlike apostle raised the war-cry of the expulsion of the Tartars and made himself the champion of the Chinese against the Mongol dynasty. He appointed viceroys to rule in different parts of the country; delirious with the apparent fulfilment of his early visions, he called himself the elder brother of Jesus Christ, and made the volume of Leang-Afah the bible of the new crusade. He stormed cities and routed armies and put thousands of captives to death. Until the capture of Nankin one-fourth of his forces were women, who fought like Amazons in the fervor of religious faith, and who, after the reorganization of the rebel armies, delved as laborers in fosse and ditch.

Two centuries of substantial peace had made war unfamiliar to the masses of China; and had caused the military organization of the empire to measurably decay. In this juncture the government accepted the aid of foreign officers, and one Ward, an American who had been a filibuster in Nicaragua, became prominent in the imperial forces. Following their characteristic policy, the western powers fomented the rebellion, and Ward became a special object of aversion to the Europeans, who offered a reward for his capture dead or alive. The emperor, finding himself hard pressed, chose the least of two evils. He offered concessions to the English and French if they would reverse their policy toward the rebels and assist in repulsing the Tae-pings. The offer was, as a matter of course, accepted

"in the interests of foreign trade with China"; and the public opinion of the west, which had hailed the rebellion as the advent of a Christian future for China, veered to the opposite extreme, and, with equal recklessness, called for its suppression as due to the cause of civilization. Ward was given an English commission, and then, to quote from an English authority, "came scenes of bloodshed that appalled the civilized world." Ward was killed by a Tae-ping bullet, in 1862, long before the end of the war in which he played so eminent a part; the outlawed New York rough was deified by order of the emperor and has a place among the conventional gods of China. The rebellion—the colossal movement which sprang from an English germ—was crushed at last by the military skill of an errant English adventurer, known ever after to fame as Chinese Gordon, who was applauded for it by English-speaking peoples everywhere. But for the English there would have been no rebellion; but for the English it would not have been suppressed; between the seed and the threshing was the slaughter of many myriads of Chinese, and all, if the plain truth be told, sacrificed to that spirit of forcible intermeddling and grasping greed which the English have shown under every climate and in every land.

It is not without reason that I have dwelt upon this, the greatest of the many rebellions which China has known during her many centuries. Of the moral and ethical principles involved I have already spoken. And it is well to note that under the apparently calm and placid character of this great people may lie the force and the fierceness of volcanic fires.

The British manufacturer, merchant, and missionary cried out for the forcible opening of the ports of China; the American said, Amen. The guns of British war-vessels broke down the barriers, and cannon on American decks made puny echo of the sound. The things that I have mentioned came of it, and others still.

In the early part of the year 1847 a European ship trading with Lima lay at Canton. Her master, recalling the broad savannas of South America as he gazed on the living, moving masses that thronged the wharves, remarked that he wished he had a thousand of them in Peru. The passing thought took shape in practical resolve, and in a few days three hundred coolies, lured by false promises that he would take them to Java, were stowed aboard the vessel. After more than three months' sailing, each day of which saw one or more dead Chinamen cast into the sea, he landed one hundred and seventy of them at a Peruvian port. Widely diffused knowledge of the profits of the new slave trade followed fast. Cuba and Surinam and Australia rivalled Peru in cupidity for the cheap laborers, and for nearly a generation the horrors of the barracoons of Dahomey were rivalled by those of the coolie trade. The story of the three hundred men kidnapped from Canton spread through the country, along the sea-coast and the river banks, and when no more could be secured by persuasion, an organized system of capture was instituted. Gangs of midnight prowlers invaded the villages, and their male and female prisoners were sold wholesale to traders at the ports; armed *lorchas* crept along the coasts and up and down the rivers, and the laborers in the fields, the children in the schools, the women about their family avocations, were caught and swept by thousands into the stifling holds of vessels flying the flags of the Christian nations. "The province of *Quang-Tung*," says one writer, "was filled with orphan children, and the mourning white was seen in nearly every household." In the ports of Macao, Hong-Kong, Swatow, Canton, Amoy, Whampoa, Cumsing-woon, and others, were ships waiting as receiving vessels for the gathered slaves. In some portions of the seaboard country local civil wars sprang up in consequence of the demand, and rival clans took arms, each in turn selling its captives to the harbor traders. The magnitude of the traffic may be

seen from the fact that ninety thousand and seven hundred were sold at Macao for export to Cuba alone, in the two years of 1864 and 1865. And the market price of each of these was ten dollars at wholesale.

The coolies hauled from the barracoons were compelled to go through the farce of signing a contract to labor for twenty years. On their arrival at the place of destination these contracts, each designating a number of surviving Chinamen, were put up at auction and sold to the highest bidder, who forthwith became the possessor of the coolies named therein, for a portion of the stated period. The profits were enormous, for the right to eight years of a service under such a contract often sold for from three hundred and fifty to six hundred dollars at the place where the coolies were landed. It was not until this infamy had endured for fifteen years that our own government interfered by statute to prevent our citizens from engaging in the nefarious work.

XVI.

WANTON AGGRESSIONS OF FOREIGNERS UPON THE GOVERNMENT AND PEOPLE OF CHINA.—OUR NATIONAL SHARE IN THE INIQUITY.

It appears, therefore, that the coming of Occidental enterprise to the ports of China has hardly been an unmixed blessing to her people; that even the well-meant and laudable devotion of the missionary has inured to her harm, and that in political peace, and industrial prosperity, and social morality, she has received injuries many and bitter and enduring consequent upon the advent of the Caucasian within her gates. There is even ample room for the hypothesis that China would have been better off—more tranquil, more prosperous, more happy even—if we may use the term, if she had been able to enforce her na-

tional policy and to keep the foreigner from her territory. Let us see whether there is anything in the present relations with her of the western powers by which the strong probabilities of this hypothesis may be lessened.

The war of 1847 gave Hong-Kong to the British and made Canton an open port. During the succeeding fifteen years the number of the latter was increased to fourteen, along a coast line of eight hundred miles. The growth of oppression in other respects kept pace with that in the forcible opening of Chinese harbors to foreign trade—one of these lay in the doctrine of exterritoriality, which exempts foreigners from the operation of Chinese laws, and which has been, and still is, insisted upon and enforced by all the foreign powers. Only a few years ago, our representative at Pekin formally reasserted "the intention of the Government of the United States to claim for all its citizens entire exemption from the operation of Chinese law," and this in criminal matters is still asserted. No Chinese can arraign any foreigner in a Chinese court, for any offence or any crime. It is not known that any foreigner has ever yet been executed for the murder of a Chinaman, except, possibly, at Hong-Kong and Macao. But I doubt if even in these cities the murder of a Chinese has ever received its just deserts. In 1884 a British subject wantonly killed an inoffensive Chinaman at Canton. He was tried by the British court; the offence was toned down to manslaughter and the criminal sentenced to seven years' imprisonment; and this appears to be a fair sample of what occurs in like cases when the homicide is punished at all. The practical effect of such a system is to render the foreigners reckless and irresponsible in the extreme, and to engender the bitterest hatred on the part of the Chinese against the interlopers who outrage Chinese rights on Chinese territory, and under the very shadow of their flag.

It is part of the system of the members of the Diplomatic Corps in China to make common cause with each

other, in order that what is demanded by one may, if obtained, be shared by the others ; and the "favored nation" clause forms part and parcel of every treaty between China and other countries. Among the demands made by France is that of "the right to place salaried consuls at any point, either on the coast or in the interior, and that any place where such a consul resides shall be open to foreign trade." The same power also demands that the revenue derived from the tonnage dues of the Chinese ports shall be handed over to a "mixed commission, composed entirely of foreigners, to be expended in such a manner as may seem proper"; the avowed idea being that the amount should be devoted to the improvements of the harbors for the accommodation of foreign vessels. In other words, it is asked that China shall not only surrender a portion of her legal revenues, but shall virtually hand over the administration of her seaports to foreign powers. Our own country claims that citizens of the United States, importing merchandise into China, "should have the privilege of transshipping such merchandise in their own vessels, or of those belonging to the subjects of China, to any point on the Yang-tse River and its tributaries, without limitation or restraint," which amounts to a claim that the Chinese Government shall give up the control of its inland commerce. This demand, made many years ago, has been persisted in by our representatives in China, with the more explicit demand that foreign goods in native hands shall not pay the *lekin* or internal customs duty which is levied on the transit of goods from one part of the empire to another. This is, in substance, not merely the assertion of a right to prevent the Chinese Government from collecting its usual taxes from its own people, it is a demand that the political condition of the empire and of its internal revenue system shall be changed for the benefit of the foreigners ; for the *lekin* or local customs are for the benefit of the provinces in which they are collected, and are devoted

to the support of the local military and police, and to other local requirements, whereas the foreign customs belong to the general government; in other words, to the administration of the empire at large. This claim, no doubt originally made at the instigation of English interests, has since been taken up by Great Britain direct, and has been the source of still unended assumption on the part of the foreigner and of only partially successful evasion on the part of China.

In 1881 the Chinese Government was gravely instructed by the foreign legations at Pekin that foreigners have the right to engage in the coastwise trade the same as the Chinese themselves; and that foreigners have the right to establish manufactories in the open ports and sell the products in the markets of China. The propriety, on international principles and national usage, of the first of these demands may be inferred from the fact that not one of the nations that demand this alleged right in China permits anything of the kind on its own coasts. In our own country no vessel can engage in the coasting trade unless owned wholly by American citizens, and the right is forfeited if the owner, though he be a native-born citizen, resides permanently out of the country, or if he be a naturalized citizen and resides more than one year in the country of his origin or more than two years in any other foreign country. Unless it be on the ground that China has no rights which the foreigner is morally bound to respect, it is difficult to enunciate any possible theory on which the foreign contention can depend. But the hardihood of Caucasian demands does not stop with this. It is claimed that foreign goods, introduced without payment of duty, should be shipped in the coastwise trade without payment of the coastwise duty while every native merchant engaged in the traffic is compelled to pay; and this in face of the truism of international law that a claim on the part of a foreigner to share in coastwise trade is forbidden by the comity of nations.

XVII.

DANGER TO CHINA FROM INDUSTRIAL METHODS OF THE WEST.

THE impudence of the claim that foreigners shall share with the Chinese their own seaboard traffic is exceeded, if that be possible, by another which, if allowed, would be productive of far more evil results. This is the claim, aggressively insisted upon, that foreigners may establish manufactories that, by the use of machinery, would flood the markets in competition with the hand-made products of the Chinese artisan. This demand is utterly indefensible in view of the industrial condition of the country. Nothing is more feared by Chinese statesman than the introduction of European industrial methods and mechanism ; its direct results would be a social and industrial revolution productive of universal and irreparable harm.

The industrial methods of the western nations originated in comparatively scant populations, and the needs and requirements of their peoples have kept pace in development with the means of supplying them. With the Chinese it is far different. The introduction of improved methods of manufacture would be with them, not a normal evolution from their own conditions of existence, but an alien element noxious to their national and racial health and growth. The crowded population renders the severest daily labor the bitter price of the scantiest daily bread, and the slightest diminution in the demand for labor would drive hundreds of thousands to starvation and other hundreds of thousands to revolt. The constantly enlarging field of American and European enterprise has constantly absorbed the otherwise surplus labor resultant from the inventions of modern times. But nothing of the kind is possible in China. Her own regions and her own industries are no longer able to absorb the overflow of labor

from methods and processes many of them the most simple, laborious, and primitive that can be imagined. Labor-saving machinery could not increase the sum total of her productiveness, for hand labor has made every arable acre yield to the utmost; and has wrought, to the last limit of supply, the products of the earth into merchantable shape. There is so much land to be tilled, so much of material to be wrought: so much and no more, for the productive capacity of the country has reached its limit in both. There are more than enough of skilled and ready hands for both. What would it benefit China if, by means of machinery, all the work of the empire were done by one-fourth of the population. The remainder would be idle, homeless, and starving. This is manifest to the legislators of China. Their practical wisdom on this head is beyond dispute. But the foreigner hammers at the gates, glad only if he can fill his coffers, regardless of the rights and interests of the children of the soil.

In view of these demands it is not strange to find it officially stated that the foreign residents of China regard force "as the only sure and speedy agent for opening up China"; that the merchants "look upon the use of force as necessary to open up new resources and avenues of industry"; and that the missionaries favor it, because it will render their task "less difficult," and also for the reason "that the use of arms to compel submission is only adding an auxiliary force to reason, to accomplish the great work of the Master."

When we find merchant and missionary using the arguments of the buccaneer in matters of general import, we are justified in further examination of the equities of specific claims. The character of many of the demands made against the Chinese Government is illustrated by facts which, once recited, require no comment to make their meaning plain.

The man whose hand penned the sentence I have quoted

above, represented the United States in China for years. The naïvete of some of his averments on record in the State Department is only equalled by his acquiescence in the iniquitous character of the facts set forth. "China," he says, "is placed very much at the mercy of the treaty powers in matters of finance connected with its internal and external trade; their stronger power comes in to judge whether such a course or such a change is proper or not, and she must act accordingly." And again, "There is no limit, it may almost be said, to the degree which the treaty powers may interfere in the domestic affairs of China, for one thing involves another, and every advance compels a change in a new direction"; and once more, "The carrying out of these treaties is likely to affect the whole fabric of Chinese society," and he adds: "I believe this tutelage, with all its responsibilities, is the best one now available to elevate the Chinese to their proper place among the nations of the earth." One more quotation from this sapient authority, who had seen, by the score, Chinese who had died from starvation during the siege of Canton. He says that he wishes to bear his "testimony to the efficiency and general justice of the British Government and its officials in China." Of this man it is to be said that he came by his ideas by a natural process, inasmuch as, years before he entered the diplomatic service of this country, he was Chinese interpreter to the British consulate at Canton. Through him and others who have followed in his footsteps our policy in China has borne the same relation to that of Great Britain that the jackal, barking with approving delight, bears to the larger animal that rends and devours the prey. The alleged diplomat whose words I have cited even went to the length of demanding that a gold mine discovered in Shan-Tung should be forthwith opened under a joint supervision of the foreigners and the Chinese authorities. He based his demand upon the somewhat comprehensive ground that all foreign interests urged it in one way or

another, and that the enterprise, as he termed it, could not be prevented. But perhaps the most instructive incident in our direct relations with China are those comprised in our successful demand that China should pay the damages caused to Americans by the British during the siege of Canton and the incidents at Whampoa in 1856 and 1857; the injuries having arisen as an incident to the military operations.

XVIII.

AMERICAN CLAIMS AGAINST CHINA.

As concerns the claims referred to in the preceding paragraph, it is to be said at the start that they had no legal foundation. Similar claims had been made only a few years before against the American Government by a Central American State for losses occasioned by the bombardment of Greytown by an American man-of-war, and had been repudiated by our State Department, and no jurist could conscientiously hold them as valid in law; nevertheless our government urged them upon the Chinese, and, by what amounted virtually to a threat of war, secured their payment. The claims came before a commission organized by our government, and which sat at Macao in the year 1860. Each individual case was adjudicated with the result that, in the aggregate, the claims allowed were nearly half a million dollars less than the amount demanded and received from China. The total of the claims made before the commission was one million one hundred and eighty-five thousand eight hundred and twenty-one dollars. The amount audited was two hundred and eighty-five thousand two hundred and ninety-six dollars and thirty-five cents; more than nine hundred thousand five hundred dollars being disallowed as fraudulent. The proportion of the actual to the fraudulent claims may be reasonably taken as indicating the average honesty of those in whose behalf our govern-

ment interposed. Interest was allowed on these claims at the rate of twelve per cent, which made the matter a profitable speculation for those who actually suffered loss. Even some of the claims allowed were without a shadow of justice, let alone of law, against the Government of China. For example, one claim for upwards of seventy-five thousand dollars—of which less than thirty thousand were allowed—was for recoupment for a piracy for which clearly the Chinese Government was not responsible. Another demand, based on similar grounds, for nearly eleven thousand dollars was allowed to the extent of four thousand and ninety dollars. Among these claims was one for false imprisonment and corporal injury inflicted by Chinese officers at Canton in 1841. This was for fifty thousand dollars, of which ten thousand was allowed, amounting with interest to twenty-one thousand dollars. Quite possibly this claimant was entitled, on moral grounds, to all that he received, but the special significance of the matter lies in this, that when, a few years ago, a Chinaman was murdered by an employee of the British Government, our then minister to China joined with those of the various European powers to resist the demand for a money indemnity and to assert that in no way could the principle be conceded.

It is gratifying to reflect that a quarter of a century after the exaction of the indemnity from China the difference between the losses actually sustained and the amount received has been returned. But nothing can change the fact that, under the rulings of our own State Department and the decisions of our own judicial tribunals, there was not the slightest foundation in law even for the claims that were paid, with a possible exception of two or three which were not strictly within the general category. Out of the total of six hundred and forty-four thousand dollars, including interest, awarded to the claimants, at least six hundred thousand dollars appears to have had no warrant in international comity or law.

If viewed from a moral or ethical standpoint, the true character of the claims for indemnity for these losses was in fact simply an assertion that the Chinese Government should afford to the property of foreigners a protection not given to its own citizens. It is further to be remembered that our own government was in virtual sympathy with the British assault, and only two years later, one of our naval officers, although we were at peace with China, joined the British in their attack on the fortifications at the mouth of the Peiho. In like manner, seventeen years ago, when we were under treaty obligations to maintain peace with China, an American fleet composed of two ships of war and four armed steam-launches was sent by the commander on the China station to prepare a chart of the channel between the main land and the island of Hanghoi; which was very much the same as if a foreign power, against our protest, should send an armed squadron to take soundings in the East River. As was expected, and prepared for, the Chinese opposed the invasion, and as a result had their batteries silenced by American guns. This, a few days later, was followed up on our part by an attack in which five forts were completely destroyed and two hundred and fifty of the Chinese were slaughtered. How much danger was experienced by our forces in this exploit, may be inferred from our loss of three killed and ten wounded. It was, however, sufficient to cause our envoy to explain to our government that the "gallantry and heroism" of our marines were "conspicuous," and reflected "honor and renown" upon our "navy and government." The same spirit, that of the presumably strong against the presumably weak, has been displayed in nearly all the relations of the foreign powers with the people of China. And in their aggressions we have had a most unwarrantable and unprofitable share.

XIX.

UNJUSTIFIABLE INTERFERENCE OF FOREIGNERS WITH LOCAL AND DOMESTIC AFFAIRS IN CHINA.

We have already seen how venerable and how nearly approaching the nature of a religion is the reverence of the Chinese for their social customs. Yet the disregard by foreigners of all that the Chinese hold sacred is deliberately made a constant source of irritation. In the words of one of our own officials, "among the Chinese the unsullied reputation and modest demeanor of females is very highly esteemed; and the rules for separating the sexes are very strict, both in regard to their personal intercourse, and the seclusion of their apartments." Yet the Chinese female converts are led to disregard this public opinion, and by open defiance of the usages common among the respectable classes of their own people, give offence to their relatives and neighbors. In some cases the marriage contract has been interfered with by the foreigners; and it was to such a cause that the death of one of the missionaries in 1869 was due. It is to be noted in this connection that while the assassins of the missionary were executed, one of them beheaded and the other strangled, certain converts who engaged in offensive operations against the Chinese Government have never been punished; and that in another instance a native convert who headed a mob that killed two hundred natives was, through the influence of the missionaries, enabled to escape beyond sea, and was never traced. Many of the assaults on foreigners which have awakened indignation in Europe and in this country, were kindled originally by the deliberate violation of Chinese law, or of usages which have the force of law. The widespread and deadly attack on the missionaries in 1805 was the result, on the part of the latter, of an illicit attempt to send to Europe maps and plans of the country, in direct contravention of

the laws of the empire, and the foreigners were treated precisely as natives would have been for the same offence. It has been no uncommon thing for the foreign missionaries to assume governmental pretensions, and thus strike directly at the home authority of the local officials. The assassination of the Governor of Macao in 1849 was the result of cutting roads through the graves of the Chinese buried outside of the city, and the riot in the French Concession, in 1875, arose from the same cause. When we recall the veneration of the Chinese for their ancestors, it is not surprising that public feeling took the form of violent resistance to the desecration of the graves. It is not difficult to imagine that something similiar might have occurred even in an American city, had an identical cause existed.

Everywhere in China the foreigner has sought to enforce his will by the exercise of arbitrary power; the guns of war-vessels and the sabres of marines are his only arguments. And inasmuch as the Chinese, though physically brave, are badly armed and worse disciplined, it was only to be expected that all the resources of Asiatic diplomacy would be brought to bear with all of native craft in defence of native rights. Nor shall we fail to find that, after all, the subtlety and far-sightedness of the Asiatic have more than equalled the force of the invaders. The claim that foreigners should trade without let or hindrance in any part of the empire, and that the payment of internal taxes should be remitted in their favor, has been in the main successfully evaded or resisted. During some years Great Britain, who controls seven-eighths of the trade with China, virtually ceased to insist upon it. But the matter has again arisen, and, as usual, our own government has lent the moral support of its representative in China to the aggression on Chinese rights. The indirect efforts to secure the proposed dominance of foreign influence in the interior of China by *the introduction* of railroads, telegraphs, and steam naviga-

tion under foreign management have been brought to a more definitely dismal end.

Meanwhile Chinese merchants entering the paths of competition which were opened to them perforce, have in a great measure crowded European traders from numerous ports more or less remote from Chinese coasts. This is true of the trade with Saigon, in Cochin China; with Bangkok in Siam; with Singapore in India; with Batavia in Java; and with Manilla in the Philippine Islands. Some time since, the British India Steam Navigation Company had a strong line of vessels on the route between Calcutta and Singapore, touching at intermediate points. A Chinese company started a line between Rangoon and Singapore, and in a short time the British line, except for a government subsidy, would have been compelled to stop—the carrying business having been reduced to the lowest ebb.

Fourteen years ago a foreign company, without a concession from the Chinese authorities, laid a short railway to connect Shanghai with the river entrance to the harbor. It was conceded that the foreigners who undertook the enterprise had no right to do so; and the American minister expressed the opinion that "the body of ministers at Pekin ought, in advance, to hold language regarding the project of a sort calculated to keep matters in their present satisfactory condition"; which being interpreted means that certain foreigners having stolen a right of way for a purpose not recognized by the government, the latter was to be bullied by foreign pressure into compliance. An American citizen was placed in charge of the grading, and the American representative declared that he was ready to defend the projectors in building the railway. The only stirring incident in the construction of the road, however, was a fight between the American citizen aforesaid and an old woman whose land was endangered by his refusal to place a culvert where the grading crossed a ditch. Although the

projectors had no right to construct the railway, it was purchased by the Chinese Government at a fair price, which was determined by arbitration. It soon became a matter of newspaper comment in this country that the rails were taken up, and had been exported to the United States as old iron.

The history of the attempted telegraph line is substantially identical with that of the railroad. In October, 1875, a Danish company, without any legal authority, began the construction of a telegraph line from Foo-Choo, the centre of the tea industry, to the port of Amoy, and continued the construction, although the officials had positively refused to sign a contract. In this, as with the railroad, the American representative was not slow to intimate that the diplomatic body should insist upon the permanent enjoyment of the rights appropriated without the shadow of law. Twenty miles of the line were destroyed by local officials, whereupon a claim for indemnity was set up by the company. As the latter had a *quasi* agreement with a body known as "the Board of Foreign Trade" of the Province, the matter was finally settled by the Chinese Government purchasing the whole concern for the sum of one hundred and twenty-four thousand five hundred Mexican dollars, which ended the controversy, and with it the telegraph line.

During fifteen years the American Steam Navigation Company owned a fleet of twenty steamships, two or three of which were of American and the others of English build, and which traded between Shanghai and the Yang-tse ports and Tientsin. In 1875, a Chinese corporation, the Chinese Merchandise Company, had vessels on the same water routes. In that year the Chinese Government agreed with the native company for certain freights at rates more than twice as high as those obtainable by either company in the open market, and which, of course, amounted simply *to a subsidy* to the Chinese company. In less than two

years the American enterprise was bought out by the Chinese, and American competition with native shipping was ended on the rivers of China. The philanthropic idea of supplying China with a currency by the coinage of the trade dollar illustrates our ignorance of Chinese methods and Chinese wants. In the north of China, not five hundred of the new coins were found two years after their introduction; while in the south they utterly failed to replace the Mexican dollar, which is a favorite form of silver.

So much for our diplomacy with China in matters of comparatively minor importance; for those referred to are dwarfed by comparison with the Burlingame Treaty, in which the far-reaching Chinamen found in an American politician a convenient implement with which to manipulate the policy of an aggressive but short-sighted nation. That treaty conferred on each of the parties thereto all the rights granted by the other to the most favored nation. The United States has granted to the most favored nations the right, on the part of their citizens, of passing without restraint to all portions of our country, of transacting business to the same extent and in the same manner as our own citizens, and of freely exercising their religion without let or hindrance. China has granted to her favored nations the right of their citizens to travel to and reside in certain open ports, and nowhere else. To quote the language of our consul at Ningpo, "it is a settled question so far as the Government of the United States is concerned, that missionaries have no right to reside elsewhere than at the open ports," and that such right does not extend to other citizens. This interpretation of the treaty has been concurred in by our State Department, and also by the British Government, whose instructions to her envoy have been of the same tenor. As concerns the missionaries, however, the Chinese Government, tolerant in all matters of religion where official routine or established practice is

not disturbed, has of late years freed from taxation the Christian places of worship, and there seems to be little, within the lines just indicated, except the prejudices of the people to operate against such success of missions in China as is consistent with the stolid inertia of the race.

XX.

CHINESE MILITARY STRENGTH.—OUR FOREIGN POLICY WITH REGARD TO CHINA.

I HAVE spoken of the past of China, of the type and character of her people, of her present condition, and of her relations with the nations of the west. We now approach the bearings of all these upon the welfare of our own country. Prelimary to this the query naturally arises, what of the future of China? In what way and in what direction will her energies expand; or is she destined to take but the place of a hewer of wood and drawer of water to other and stronger nations of the earth?

The latter proposition is almost too absurd for a moment's consideration. The population of China in A.D. 1753 was 102,300,000; seven years later it was 143,125,000; five years later yet, 198,214,000; seven years after this, viz., in 1792, in round numbers, 333,000,000, and in 1812, the latest census, 361,221,000. The increase between 1753 and 1792 represents the normal increase under the best conditions; for this period of about forty years was the most peaceful and prosperous that China had known for several centuries. In that time her far-sighted policy in excluding the restless and adventurous foreigner bore its most abundant fruit, and except that the military spirit of the people was lulled to sleep by the peace of these and many preceding years, her progress was definite and great. The rapid and marked diminution of the ratio of growth of the population from 1792 to 1812 is admitted by English writers, and proven by other evidence, to be

due to the introduction and consumption of opium. In the absence of positive data, the annual increase since the date last mentioned may be approximately calculated at one per cent. per annum, which is but one-fifth of the normal ratio of a laboring population not subjected to any specially deteriorating influence and adequately supplied with food. Small as this ratio is, a simple arithmetical calculation shows that the Chinese number, at the present time, in the neighborhood of seven hundred and fifty millions, or from two-fifths to one-half of the entire population of the globe. Their mental attributes and physical strength and endurance have been already considered herein ; their military capacity and courage constitute an additional factor in the question.

Western ideas of the warlike prowess of the Chinese are obtained principally from the coastwise wars with the British and the French, and appear to have been derived from an imperfect conception of the premises. As before remarked, China had possessed, during seven generations, a substantial peace throughout her empire when the attack on Canton took place in 1847. The inland troops were armed for the most part with bows and arrows, the muskets were matchlocks of antique pattern. Whoever has loitered on the esplanade of the Tower of London will have noted, among the trophies of Anglo-Saxon conquests, cannon taken from the walls of Canton and representing their armament. They bear the marks and the dates of German foundries of two hundred and fifty years ago. With soldiers called suddenly from the peaceful rice-fields, a military organization grown weak and careless by long disuse, and armed with weapons that were as playthings compared to the fire-arms of the invaders, the wonder is, not that they were defeated, but that they were able to resist at all. And a like remark applies to the wars of 1857 and 1862. But any conclusions drawn from this condition of affairs with regard to the future are likely to be fallacious to a

degree. "Individual bravery was often exhibited," wrote the commander of the British ship-of-war Bonetta, "but in no instance did the Chinese fight well in a body." This applied to the conflicts of 1847. The American, Ward, in the Tae-ping war organized a legion of five hundred Chinese to whom he taught the discipline and tactics of Europe, and they proved themselves almost invincible in all the varied contingencies of battle. With the drill and discipline, the arms of precision, and the improved equipments of Europe, the Chinese will be by far the strongest military nation in the world.

Add to this the advent, sooner or later, of a railway system designed upon strategic grounds, and a few decades may witness a total reversal of the position of China with reference to the countries of the west.

According to information furnished our State Department in 1885, China is taking thorough and effective measures for naval and military reorganization; and it is significant of the Chinese knowledge of European affairs that she has turned to Germany as affording the most valuable example and means of instruction. "German army and navy officers are being nearly everywhere employed; the arsenals and powder mills are being equipped according to German plans, and ships and troops are under German instructors." The same despatch sets forth that "the Chinese know full well the importance, for military purposes, of railroads and telegraph lines; and there is no doubt that every effort will be made to have such railroad lines made as will lead to concentrating and provisioning her troops." The American legation in the same year is authority for the statement that the improved fire-arms placed in the hands of the Chinese troops in Tonquin in their warfare with the French, "increased their courage ten-fold," the French, as is well known, having been frequently defeated by them. Precise *data* concerning the recent military development of China is difficult of access, but evidence is not wanting that her

preparations for possible hostilities are many and great. An English authority in 1880 averred that within ten years of that time China would be no longer dependent upon foreigners for munitions of war; and that her ship-yards and arsenals would equal those of Great Britain. It is of course impossible to say to what extent this prediction has thus far been verified, but there is no reason to doubt that its fulfillment has been closely approximated. During the year 1881 China added to her navy eleven steel vessels, of which it was said that "no unarmored vessel afloat equals them in power, nor any armored vessel in speed; in penetration and range their guns are only exceeded by one English and one Italian vessel." Following a policy traced on lines like this, not many years will be required to enable China to hold her own against the navies of the West, and seizing, as she will, the opportunities afforded by some period of internecine strife in Europe, to strike blows heavy and hard.

Perhaps one of the most notable documents ever written by a Chinese Government official was a memorial addressed to the emperor by Tso Tung Tang, who for twenty-five years had been viceroy of Nankin. It recommends as an initial step the building of a railway to connect the strategic points of the north and south; and this, if carried into effect, would enable troops and war material to be sent from the southern sea-coast to the Russian frontier in fifty hours. It also recommends a system of coast defences for the entire seaboard of ten thousand *le*, or four thousand miles; a symmetrical administrative system for the land and naval forces, and the translation into the Chinese language of works which afford an insight into foreign military affairs. The level contour of the whole country is favorable to railway construction in almost every direction, and a railway system converging to the routes along which commercial travel has passed since remote ages will constitute a colossal menace to India, and it is not impossible that, in some not

remote future (for a generation is but a day in the history of races) the opium scourge from Bengal may be repaid through armaments patterned upon the work of British armories. Given a military system of railways and telegraphs, armies provided and trained with the improved fire-arms of to-day, fortresses armed with the heavy steel ordnance of Europe, and ironclads such as she even now possesses, China will no longer be the plaything of the west—no longer a nation to be defrauded or plundered. It will need but an alliance between the czar and the emperor to divide British India between the Chinese and the Slav. With a policy which shall exclude the Chinese from our territory while our population grows to fulness and strength, and with the wide Pacific between, our people may watch from afar the conflict which must arise when the millions of China, swarming like bees from the hive, but furnished with the means of aggression drawn from the west, shall overflow her borders, not as now to seek peaceful subsistence from labor, but with all the avid anger of conquest.

I have considered the past and the present of China, the character, strength and tendencies of her people, her place in the economy of the civilized world ; and am now to consider her relations with our own people. This part of the matter in hand has two branches—our relations as a nation with her, and the relations of her people, as immigrants, to our own. Of the former I have already spoken in some detail. Our foreign policy, if it deserves the name with regard to China, has been one of blind servility to European ideas and European interests, with no advantage to our country or to our people. To consider this minutely would involve a digression into international politics of greater length, and possibly of greater acridity, than I have space or time to here enter upon. But no conscientious student of our international relations with China can doubt for a moment that the time has come

should break loose from foreign affiliations in

our concerns with that country, and to treat with her upon the basis of mutual justice without deference to European interests or European ideas ; and that we should cease to lend aid and comfort to nations that, for their own profit and to her detriment, iniquitously meddle with her affairs. We have played the part of jackal and fag to British interests along the coasts and on the mainland of China far too long. Every American interest that deserves protection will be better guarded if segregated from those of nations whose policy has devastated the provinces of China, and whose cannon have desolated her cities. Even our missionaries, whose psalms rise musical and unmolested within hearing of the imperial palace of Pekin, will fare better and meet with far more excellent success if it be understood that their work forms no part of the aggressive methods of the west. Necessary as it is for our own protection that the people of China be eliminated from our country, we, in common equity, can have no share or lot in aggressions upon the country which, from the dawn of time, has belonged to them.

I come now to that phase of the subject which relates to the bearing of Chinese immigration upon the interests, present and future, of our own country and our own people, and to the consideration of which the preceding pages are but the prelude. If it be remarked that the prelude is longer than the other, it is to be repeated, what I have already in substance said, that to fully comprehend the full meaning of the term "Chinese immigration," it is essential to first understand the race and the nation to whom these Chinese belong.

XXI.

INCEPTION AND PROGRESS OF CHINESE IMMIGRATION TO THE PACIFIC COAST.

As there has been occasion herein to mention, from the forcibly-opened ports of China slavers bore coolies to Peru.

In the year 1850 a score of these Chinese escaped from bondage and, on one pretext or another, obtained passage on a vessel bound for California in the early gold-dust days. They saw the wealth and freedom of the country, its high productiveness, the high wages paid to labor. But not all of these could keep them long, and in the course of two or three years they had found their way home, and soon the returning wanderers spread over the whole country by and beyond Canton the tale of the new land with which their exile had made them familiar. At first a few in number, like straggling ants, they came, then more and more, by thousands and tens of thousands, until they constitute at the present time more than one-half of the adult male population of the Pacific coast of the United States.

When British cannon first opened Chinese ports, California was known to us mainly as a land fruitful in products and winsome in climate: a broad territory, coveted by Great Britain and by our own country, and held with an unsteady hand by Mexico. Ten years later it belonged to the United States, and its gold mines made it the El Dorado of the restless of all nations. With the others came the Chinese. As individuals they came and returned to their own country, a constant ebb and flow. As a people they came to stay. Their number has constantly increased in spite of all obstacles, until, in commerce and industries, their influence is dominant through all the Pacific coast, and their advance scouts have extended to the Atlantic seaboard. It is in California, however, that the problems springing from their presence have most forcibly arisen, and it is from California that facts conclusive in the solution of these problems must be derived.

California has a population, Chinese included, of about seven hundred and fifty thousand, or somewhat less than four individuals to the square mile. The land, at the date of its annexation, was held in large grants, some from the Mexican, others primarily from the Spanish Government,

and all, so far as they were *bonâ fide*, protected by the treaty of Guadaloupe Hidalgo. Although these lands have in a measure passed to new owners, they have seldom been divided into smaller holdings, and are now possessed by a comparatively small percentage of the entire population of the State. The influx of Chinese labor, almost simultaneous with the new settlement of the country, provided a means by which these lands could be worked at little cost, and obviated the necessity, which otherwise would have existed, of dividing the immense ranches into farms. Chinese immigration, therefore, buttressed the almost feudal control of the land. In their turn the great land-owners lent the power of their wealth, their political influence, and their business talent in favor of the system of cheap labor by which their own power was maintained. From this it has followed that the social economy of Californian agriculture has throughout been different from that of any other country professedly governed by republican institutions or assuming to be controlled by republican traditions.

The great crops which form the staple productions of the soil are such as require no tillage between seedtime and harvest, which thus become the only active seasons of the year. East of the Sierras the conditions of farming are such that there is opportunity for continuous labor from early spring to later autumn, and even in some degree throughout the winter months ; and the farm laborer has opportunity for constant occupation. Forming, as he does, a part of a homogeneous community, he has, if a man of family, a fixed abode, however rude, and has within his reach many, at least, of the ordinary comforts of life. If single, he commonly resides in the family of his employer. Under such circumstances the existence of the farm hand is rendered tolerable, neither undignified nor unworthy ; and there is nothing in his condition which need impair his self-respect or deny to his industry or skill their legitimate reward of pecuniary or social success. But nothing of this

exists in California farming. The laborer is hired during a few weeks of the heavy spring work and of the harvest. He receives his wages and his rations, and is expected to lodge himself. Wrapped in his blanket, he sleeps in an outhouse or on the threshed straw under the rainless sky. When the season of driving work is over he goes away, whither no one knows, and no one cares. Thus periods of long idleness intervene between seasons of severe labor. Such a system is possible only in a country composed of estates of immense proportions, tilled by labor of the cheapest and most servile kind.

The discovery of gold, the reported fertility of the soil, and the beauty of the climate led, at the outset, to a large immigration from the Eastern States; to the organization of a commonwealth based on their political traditions and social usages. These traditions and usages were and still are directly counter to those which, in all ages, have resulted from the control of the land by the few, and to those represented by the cheap labor of the Chinese. The civilization represented by the masses of the white settlers on the Pacific coast had, as an inherent necessity, a remuneration of labor adequate to the comfortable maintenance of families, their education, their refinement in manners, mind and morals, which can only obtain where the physical being is sustained by sufficient nutrition, and the intellect and emotional nature suffered to expand by a fair degree of leisure. The civilization represented by the large landowners was that springing from the use of labor secured at the lowest possible remuneration, regardless of its effects on the laboring classes. This labor was found in the Chinese immigrants who, without families, and used, in their own country, to the smallest wages, could be obtained in unlimited number at rates lower than those necessary for the bare sustenance of white workingmen. The conflict between these two forms of civilization began early. It has extended to every branch of industry, and the results thus

far have been detrimental in the extreme to that which we are accustomed to consider as the highest form of Caucasian society. The Chinese have invaded every department of industry, and Chinese executive ability has marshalled that labor into the most effective opposition to the industrial classes of the whites. Everywhere, except among the wealthy, the white man has gone to the wall in the competition with the Asiatic.

XXII.

INJURIOUS EFFECTS OF CHINESE IMMIGRATION IN CALIFORNIA.

THE extent to which the presence of the Chinese has been inimical to our people is most conveniently illustrated by reference to the various branches of industry on the Pacific coast; for the manufacturing interests that, with a normal development of society, would have been built up by white labor, have virtually passed into the hands of the Chinese. The result is, not only that laboring men, as such, are thrown out of employment, or reduced to wages insufficient for comfortable maintenance, but all those occupations which, even in the most crowded Caucasian communities, afford a frugal sustenance to women and children, are monopolized by the Chinese. For example, in some portions of the Eastern States, as also in England, the season of picking hops is one as festive in character as the vintage of France or Italy, because it affords unusually high wages during three or four weeks to women and children whose labor at other seasons has little money value. Wherever, east of the Rocky Mountains, hops are grown, the hop-picking season is looked forward to by thousands of young girls and by needy families as offering a means of ready money, the use of which is often extended throughout the remainder of the year. In California the hop-picking is

done by Chinese to the exclusion of all others. So, also, in many portions of the Eastern States, the season of berry-picking affords an opportunity for the earning of money, which, to the poor, softens the hardships of other and more scanty seasons. In California, berry-picking, which, at one time, was availed of by women and children, has been entirely absorbed by Chinese. The weaving, which formerly was done almost entirely by women, is now done by Chinese. In the making of underclothing, Chinese do the work which in this country and Europe is performed by seamstresses. The laundry work, the dress-making, and the millinery work have been passed to the Chinese. The manufacture of shoes for women and children is entirely in their hands. The gathering of fruit, the digging of potatoes, the care of gardens, is for the most part done by them. The handling of the immense crops of the coast calls for the use of many tens of thousands of grain-bags, which are all sewed by Chinese. In the large dairies, some of them having from a thousand to thirteen hundred cows, the milking and other dairy work is performed by Chinese. The seating of cane chairs, which forms the last resource for poor women in eastern cities, is in California given over to Chinamen.

When white labor is thus crowded away from the minor and poorer industries, it follows, as a matter of course, that other and more remunerative occupations are filled in the same way. The Chinese are employed in the woollen mills, in the tanneries, in fisheries, in the canning of fruits, etc., in the varnishing of furniture and the like, in the building of embankments for the redemption of overflowed lands; in railway work, the making of road-cuttings, and the digging of tunnels. There is scarcely a manufacture in which they do not constitute the whole or the great majority of the operatives. In one establishment in San Francisco (the Mission Woollen Mills), five hundred and fifty Chinese have been employed at one time. In a neighboring spring-mat-

tress factory, not a single white man found work; and, near by, the only oakum factory in the city was also Chinese throughout. In placer-mining there were four thousand in one neighborhood, near Oroville; and in many localities they have entirely exhausted mines which, although incapable of profit with the wasteful methods in vogue twenty years ago, would have proved by this time sources of revenue to the whites. There are in San Francisco fifteen thousand boys and girls, between the ages of fourteen and twenty, who, in eastern communities, would find active employment; but they cannot compete with the Chinese, and are for the most part idle. In this last-mentioned fact lies the origin of the "hoodlum" and the moral genesis of his ways. Youth who, under normal conditions of industry, would have occupation at wages in some measure commensurate with the requirements of maintenance, find their places filled by Chinese, whose habits of life are such that the smallest remuneration yields what in their eyes is abundance.

Competition with Chinese labor is simply competition with the conditions under which the Chinese laborer chooses to exist. But the Caucasian can neither eat the food, nor breathe the air, nor sleep in the dens that are opulence and comfort to the Chinese coolie. For unnumbered generations the latter has existed under the same conditions that he makes for himself in the new world, and his nature has become dulled to the influence of noxious odors, of foul surroundings, of crowded rooms, and of a noisome atmosphere. What the Board of Health of a Caucasian city regards with disgust and abhorrence as a probable source of pestilence, the Chinese regard without concern. It has often been remarked by those familiar with the people of China, that diseases which are fatal to the European are comparatively harmless to the Chinese.

The Chinaman, it is claimed, and apparently with truth, will learn any given mechanical operation in one-third of

the time required by a white workman. He has no family; he lives in the most frugal manner; he lodges upon a wooden bench; he has been used at home to wages that would hardly more than sustain life. His sole ambition is to accumulate from two hundred to four hundred dollars, which is to him a fortune, and which enables him to return as a rich man to his own country. He is obedient and servile. By means of all this he is enabled to live as no white man could live, even if the white man were not burdened with the support of wife and children. The result has been to prevent the immigration of a strong and healthy laboring class of kindred and easily affiliated races from the Eastern States and from Europe. Thus there has been almost wholly wanting in California the element that contributed so largely to build up the prosperity of the whole country east of the Rocky Mountains.

The evil of this has been twofold. Not only has the sum total of a large Caucasian immigration been lost, but there has been none of the natural and legitimate increase of population that would have resulted therefrom. In the Eastern States the Swedish, Irish, or German maiden finds ready employment in domestic service; in course of time she marries and children are born, and families surrounded by the safeguards of Christian communities grow up to careers of usefulness and often of honor. In the second or third generation the descendants of the European immigrant are so completely merged with our people that no difference is perceptible. In California anything of the kind is impossible. To a certain extent it existed before Chinese cheap labor had become so overpowering as it now is; but it has diminished in the same ratio that the latter grew to be the dominant feature of the Californian industrial system. California has thus been shut off from the legitimate elements of growth which would have made her, in all the essentials of material and moral prosperity, tenfold stronger than she is to-day. Chinese labor has operated not only to

prevent, but to destroy, the normal development of the State, and to thrown upon the people unwonted burdens. In every community there are many who, through adversity, are throw suddenly upon their own resources—children, and tender women who must seek a sustenance in humble employments. Where access to these is closed, as it is by Chinese labor, the alternative is fearful and plain. The woman who, in California, without friends or money seeks to earn a livelihood by any of the occupations commonly open to her class in even the most crowded cities of Europe or of the Eastern States, is met at every turn by Chinese who will work for less than is necessary to support life and health in a person of Caucasian descent and training. There is for her the simple alternative of shame or starvation. The man who is dependent upon his handiwork for daily bread finds his children dwarfed for need of mere physical nutrition, because his income, beaten down by Chinese competition, is inadequate to their support: and beggary and crime are the natural results.

The same cause has produced another evil of no slight social magnitude. Where young men find the prospect of supporting families to be insecure, they do not marry. From such a condition of society the political economist deduces with certainty that the normal increase of the population will be slow; the student of moral science deduces with equal positiveness that the standard of public and private morals will be debased.

It is an axiom, that where servile labor is brought in contact with that of a higher social character, the latter is brought down to the level of the former. It was an argument used with effect against the institution of negro slavery that it was not the colored man alone, but the free white laborer also, who bore the stigma associated with manual toil. The same rule of association holds true as between the Chinese and the white workingman in California. In the city of San Francisco, sixty thousand of the Chinese

are crowded into six or seven blocks of buildings. A single story measuring twelve feet from floor to ceiling is sometimes divided by two intermediate floors, making three stories in one, all occupied by Chinese. The streets in that portion of the city are connected from one side to the other by subterranean passages, so that the occupants of the houses pass underground from building to building. Sometimes the upper stories of the structures are built outward over the street until, at some distance from the ground, they approach within two feet of each other. The district embraces among its denizens some four or five thousand Chinese women, of whom not more than one in twenty is other than the vilest of the vile. When the chief laboring class steams and festers in such dens as these, labor itself must stand low in public respect. And with such associations and such competition, the wonder is, not that the white population is turbulent, but that it is not a hundred times more revolutionary in its ideas and lawless in their expression.

XXIII.

TRUE STATUS OF CHINESE LABOR IN THIS COUNTRY.

I AM aware that it is sometimes claimed that Chinese labor is not servile, but free. In a subject so important, we need hardly tolerate a quibble on words or a balancing of technical phrases. A people is servile when it becomes an inert mass, directed solely by the will of others, and repelled by fear from exercising the ordinary prerogatives of freemen. That this is the case with the Chinese in California is apparent when we consider, never so briefly, the circumstances under which they are brought into the country, and the tenure by which their stay is determined. The real masters of the Chinese in California are those of their own countrymen who compose the Six Companies, the Sam Yup, Kong Chow, Wing Yung, Hop Wo, Young Wo,

and Yang Wo. These enforce their authority partly as creditors of the laborers, and partly by combinations with the steamship companies. A contractor desiring any given number of Chinese makes an agreement with one or the other of the companies, which undertakes to furnish the desired number, to be selected in China. A Chinaman wishing to emigrate from his own country to California will, in most cases, borrow money for his expenses, paying interest at from four to eight per cent. a month ; giving a mortgage on his wife and children for security, and until this money is repaid he is bound to the company, and goes hither and thither at its beck and call. In addition to the cost of his voyage, he is required to pay seventy-five dollars to the company as its commission. In return for this commission, the company exercises a general supervision and care over each individual, not only finding him employment, but caring for him in sickness and misfortune.

When the company is fully repaid, the immigrant is presumably free, but is not so in fact. Every Chinaman hopes to return sooner or later to his own country, or at least to have his remains laid beside those of his ancestors ; but the Six Companies have made arrangements with the steamship companies by which no Chinaman, alive or dead, can be transshipped without their consent. More than this, the great majority, being directly indebted to the companies, work for the interests, real or imagined, of their creditors, and a Chinaman fares hard indeed at the hands of his own people, if he is found to be recalcitrant. Whatever name, therefore, may be given to the relation of the Chinese to their employers, they are neither more nor less than servile to the last degree.

Another result that has been observed to flow from this is the constantly increasing arrogance on the part of employers, a fault cultivated and encouraged by the patient and absolute servility of the Chinese laborer.

It is no wonder, therefore, that with wages depressed

below the point of comfortable living, and with labor debased to the social depths of an Asiatic community, California has not increased in white population in anything like the ratio of other States less favored in climate and natural productions, and has materially diminished in that distributive wealth which is the only solid foundation for the material prosperity of a commonwealth. I know that it is claimed that the aggregrate wealth of the State has been increased by Chinese labor, but the evidence does not bear out the assertion. On the contrary, it is not difficult to prove that the State is actually poorer to-day than she would have been had the Chinese never passed the Golden Gate. More than this, it is easy to show that the wealth of the State, even apart from that included in the land, has been principally accumulated in the hands of a few, while the mass of the people has been impoverished.

Nor is this all: the low rates of wages required by the Chinese, combined by their docility under authority, render them facile instruments of indirect coercion in differences between labor and capital. Thus introduced as an abnormal element into a problem sufficiently difficult of solution without it, Chinese cheap labor too often renders impossible the normal and proper adjustment of such difficulties; and the evil effects are felt, not merely in special industries but to a great extent throughout the body politic. Frequently, indeed, it has led to results which, however regrettable in themselves as separately considered, are but the tokens of a righteous indignation over a condition of affairs which a sound and well-regulated public policy would not permit to exist. For ten years past not less than one thousand Chinese have been employed in the coal mines of the Union Pacific Railroad, and the employment that would have sustained a thousand Caucasian families has been kept beyond their reach. Prior to the occurrences at Rock Springs, Colorado, in 1885, hundreds of white men

sought in vain for work, while Chinamen were imported by the carload.

We may go further, and assert with perfect truth that even the cities of the Atlantic seaboard are poorer by many millions than they would have been had California been dependent upon white labor alone. That State has lost for the past quarter of a century the increase of white population that would have inured to her had she presented the attraction of high wages to the thrifty mechanics, farmers and laboring men of the Eastern States. And during the same period she has lost the refinements in tillage and the enterprise in commercial undertakings that she would have experienced had her immense ranches been divided into smaller farms, as they would have been had not the Chinese furnished vassals for their wholesale cultivation.

If agriculture has lost from cheap labor, commerce has not gained. It has been asserted that our trade with China has been promoted by the presence of the Chinese. But if we analyze this we shall find it as delusive as the others. Out of perhaps twenty millions of dollars of imports, thirteen millions are in tea and silk which would be imported to the same degree if there were no Chinese on the coast; and the same remark applies to most of the other imports, a very large proportion of which is consumed by the Chinese themselves, as, for example, two million dollars of rice, three hundred thousand of fire-crackers, and one million dollars, more or less, of opium. Of the balance, some three or four millions of dollars, it is difficult to see in what respect it owes its existence to Chinese immigration. It consists of such items as oil of aniseseed, cassia-buds, china ware, camphor and cassia, all of which find a considerable, if not their greatest, market in the Eastern States, and would be called for regardless of the character of the population on the Pacific coast. On the other hand, our exports amount to between ten and eleven millions, leaving a balance of trade against us of apparently about nine and

a half millions, but which in reality is about seventeen millions; for more than seven-tenths of our so-called exports to China consist of treasure which is listed with the merchandise. This seventeen millions in coin and its equivalent passes to China, and thence, in payment for opium, to the British, to form part of the fund with which their power is maintained in the East. About one million dollars of our exports consist of quicksilver, and another million of sundries. The export of flour, about which so much has been said, amounts to only thirteen or fourteen thousand barrels per annum; of coal, about fifteen thousand tons; and of lumber, about two million feet, having a value of some fifty thousand dollars. There is not enough in this showing to indicate any great or permanent advantage to this country from the continuance of commerce with China.

Indeed, the impossibility, in the very nature of things, of any profitable market for American products in China is manifest. We cannot sell flour to a population that prefers rice to wheat and which raises rice in kind and quantity unexcelled anywhere in the world. We cannot sell improved machinery to a country whose people and government foresee that its introduction would destroy established industrial usages and throw tens of millions of already half-starving laborers wholly out of employment. We cannot sell leather to a population that makes its foot-gear with cloth uppers and wooden soles. We cannot export sugar to distant countries while we import it for ourselves, nor can we sell the products of the dairy, or of the shambles, to a people to whom the price of four ounces of either is more than the value of a whole day's work from dawn to sunset. It has been said that China affords a market for our cotton goods. The averment is a fair illustration of the utter rot that has been inculcated with reference to our commercial relations with that country. If China could purchase to any material extent the "brown

sheetings" and other cotton fabrics of other countries, the cheaper looms of Great Britain would supply them. But as a matter of fact these have been unable to compete with the cheap labor and the rude hand-looms in the cottages of the Chinese operatives. In the words of a British consul at Shanghai: "Roughly speaking, the working classes all over China are still clothed entirely with native fabrics manufactured from native grown cotton . . . . The great obstacle to China's becoming a consumer of English fabrics to the extent that the enormous size of the country and its swarming population would lead one to anticipate is . . . . the fact that she herself can produce an article of more durable quality, and better suited to the wants of the people, at an equal or lower cost . . . . So long as the native looms continue to produce cloth at the same cost as at present, our manufacturers cannot seriously enter into competition with it for the supply of the wants of the million." Another consular report sets forth, of the cotton manufacture in Tsze Chuen, "As the people count nothing for their time or labor, everything which the cotton cloth realizes over the cost of the raw material is reckoned profit." No greater fallacy was ever whispered into the ear of a credulous public than the idea that China may afford, to any material degree, a market for the productions of American labor or skill.

But the story is not yet fully told. There are in San Francisco fifteen or twenty Chinese firms through whom the most of the trifling commerce which we have with China is transacted, and its profit goes not to our people, but to the Chinese, whose allegiance is to their own country, and whose wealth is part of the wealth of China. The riches that have been accumulated through Chinese labor have been amassed by the few, and have contributed nothing to the prosperity of the masses. It is not twenty years since the Pacific Railway was built with subsidies from the Federal and the State governments,

tion as the demand for the results of labor in the East diminishes, just in the same degree must the wages of the laborer in the East be reduced ; and unless this tendency is stopped by legislation, both as concerns the East and the West, it must continue with constantly increasing force until white labor is driven to degradation or revolution.

But the tendency referred to has gone even further than I have indicated. We have seen that the hop-yards of California, some of them forty and fifty acres in extent, are picked by Chinese whose wages are so low as to afford a virtual bounty upon the product as against that of eastern hop-yards. In other words, the agriculturist on the farms of New York, whether he works for wage, or tills with his own hands lands which he owns in fee simple, must, under the merciless operation of supply and demand, labor in direct competition with Chinese whose wages are but a fraction of what the American requires for the merest livelihood. Under our treaty with Hawaii, her sugars have been admitted free of duty, and American producers have had to contend against the cheap labor of the Chinese coolies who already exceed the total native adult population of the Islands.

It is known that, since years ago, the tobacco of Connecticut has been shipped to California, there made into cigars by Chinese operatives, and then returned to the eastern markets ; so that the cigarmakers of New York, Boston and Philadelphia are brought into the same direct competition with Chinese labor as those of the Pacific coast. As concerns many branches of manufacture, this would occur even if Chinese immigration was restrained west of the Rocky Mountains. But, as we all know, the Chinese have penetrated to every large city in the country. They swarm in Brooklyn, and have their own "Chinese quarter" locally known as "Chinatown." In New York City there are, in round numbers, about fifteen thousand of them who, like their brethren in California, take the work ordinarily done

by women and children. Here as there they are without families, and here as there they live in the same cheap squalor and comfortable debasement. It is keeping within bounds to say that for each Chinaman who follows the occupation of "washee-washee" in this country, a family of a washer-woman with four children loses its means of subsistence and sinks to deeper depths of poverty.

It may be asked why, with these facts staring the investigator in the face, so strong a public opinion as has heretofore been manifest should have been produced or maintained in favor of Chinese immigration. The answer is easily found. California is in a great measure ruled by railroads whose builders made fortunes through Chinese labor. The Pacific Mail Steamship Company has its vessels manned with Chinese sailors, and makes its profits from the transport of Chinese coolies, and, as we have seen, it is in close affiliation with the Chinese companies through whom the immense flood of Asiatic laborers has flowed into the country. The American consular charges in China have been from one to two dollars per head for every Chinaman shipped; and all the official weight of the American representatives at Hong-Kong has been thrown in favor of the trade. And every large manufacturer and great land-owner who has found the profits of the ranch or the manufactory enhanced through the reduction of wages to the lowest point, has joined in laudation of cheap labor. To so great an extent has the fabrication of a public opinion in favor of the Chinese been carried, that after the death of Senator Morton it was widely reported, and almost as widely believed, that he had left in his own handwriting a report in laudation of Chinese labor and advocating its continuance; whereas Senator Morton joined with the other members of the committee in declaring that "the influx of the Chinese is a standing menace to republican institutions upon the Pacific and the existence there of Christian civilization," and regarding the present industrial condition of California arising from Chinese

labor, used the following language: "The Chinese have advantages which will put them far in advance in the race for possession. They can subsist where the American would starve. They can work for wages which will not furnish the barest necessities of life to an American." This committee, of which the senator was one, and in whose report he joined, spoke of the Chinese as making their way "by revolting characteristics and by dispensing with what would be mere necessities in modern civilizations." Yet in spite of this emphatic language the pro-Chinese advocates have succeeded in spreading the current belief that the distinguished senator came to the same conclusion as themselves.

XXV.

CHINESE IMMIGRATION IS BUT IN ITS INFANCY UNLESS PROMPTLY STOPPED BY LEGISLATION VIGOROUSLY CARRIED INTO EFFECT.

IT has been supposed by many that Chinese immigration has reached its limit. But this is at variance with what is plainly indicated by demonstrated facts. Although many Chinese return, each autumn, to their own country, a still larger number make their advent in the spring; the annual surplus of immigrants over emigrants being from eighteen thousand to twenty thousand, which insures a constant increase of the Chinese population. I am aware that it is claimed that the Restriction Act of 1881 has materially diminished this annual ratio of Chinese immigration. But in the face of such assertions is the undeniable fact that the provisions of the law have been evaded wholesale and successfully. It does not admit of contradiction that the strongest opposition to the Chinese shown by the people of the Pacific Coast has been manifested since the passage of this act, and this furnishes strong persuasive evidence that

the act itself is inefficient and incomplete. Moreover, the evasion and, in many cases, the practical nullity of the law, is a matter of notoriety. As already stated, the Chinese constitute one-sixth of the people of the State; their number above one hundred and sixty thousand. This figure is an average of various estimates, and is undoubtedly below the actual number, inasmuch as the Chinese are most ingenious in evading any accurate enumeration. In 1886, it was stated by Lee Kin Wah, the president of the Six Companies, that outside of San Francisco there were one hundred thousand Chinese in the State of California. If this be true, and there is no reason to doubt it, the total number on the Pacific Coast cannot be less than two hundred thousand, for even in 1876 the city of San Francisco harbored sixty thousand, and the number assuredly has not diminished.

We may here pause for a curious calculation. There are only between five and six thousand Chinese females in the State; and the Chinamen are, therefore, almost without exception men without families. Each one of them is inspected, before leaving China, with a care equal to the inspection of volunteers for active service in time of war. Without this they cannot be shipped. They are therefore healthy, active and enduring—as much so, probably, as the average military force of any country. As concerns the white community, the number of men fit to bear arms may be estimated by the same rule that obtains in European countries, which is one in five of the total population. Therefore, of the six hundred thousand whites, there may be counted one hundred and twenty thousand men capable of actual service. From this it follows that, in the number of men fit to bear arms in California to-day, China is at least thirty per cent. stronger than the United States. We may readily infer whether this proportion is likely to increase, when we consider the low cost at which Chinese immigrants can be brought to the Pacific coast. The charge per head

for bringing coolies on a steamship is variously stated; sometimes as high as fifty-five dollars by the advocates of Chinese immigration, sometimes as low as ten dollars by its opponents. The truth appears to be that the actual rate of the steamship company is about thirty dollars from Hong-Kong to San Francisco, and about ten dollars on the return. I find in a sworn statement made by an expert in the business, that in sailing vessels the Chinese can be brought to California for fifteen dollars each.

In times of steamship rivalry the rates have been reduced as low as twelve dollars per head. The emoluments of the business of importing Chinese may be estimated from the fact, sworn to before a Congressional committee, that from two trips per year a steamship makes about ninety-six thousand dollars gross profit. Even the dead Chinaman pays a handsome return; his last wish is to be buried in the consecrated ground where his ancestors repose, and five dollars is the price for conveying his bones homeward to the flowery land. The cupidity of transportation lines of course meets half-way the wishes of the would-be emigrant, and employs well-understood means to stimulate his desire to better his fortunes in the New World. Under such conditions there can be no check to the immigration except through stringent legislation vigorously enforced.

Inducements such as have been herein just referred to, in the face of a careless public opinion, have borne their natural fruits. The treaty relating to the importation of Chinese, and the legislation had in pursuance thereof, has been, in a great measure, a dead letter, and instead of stopping the evil has permitted it to increase *sub rosa*, by lulling anti-Chinese sentiment into a false security. The collusion of officials has aided the evasion of the law; thousands have crept into the country under color of false certificates, and other thousands have passed unhindered across the border from the British dominions, a British trans-Pacific steam-

ship company doing for the port of Victoria what the Pacific Mail does for San Francisco.

From November 17, 1880, to August 5, 1882, "the arrivals of Chinese by steamer alone at San Francisco reached forty-five thousand six hundred and sixty-five"; a fair index of the manner in which the Chinese have been crowded into the country. In the words of a leading New York city journal, "the immigration has scarcely diminished at all since the policy of restriction was put in force." It is impossible to state, even approximately, the number of Chinese in the United States, or their annual increase here: and the figures I have given on this head, though taken from the best available *data*, are more than likely to represent but a fraction of the whole. Another prominent New York newspaper avers that at the present time the Chinese enter the country sometimes at the rate of a thousand per day. It is as impossible to deny as it is to verify these sayings, for at the best only an estimate can be made. The same duplicity that favors the immigration contrary to law covers from sight the sources from which an exact statement of its extent could be drawn. The price of an illegal return certificate has been twenty dollars for a man, and one hundred for a female—*vide* New York papers of April, 1888—and there is no reason to suppose that more than a mere fraction of the frauds committed have been discovered. The extent to which the Chinese have increased of late years in even small and comparatively out of the way places is illustrated by the population of Victoria, which, with eight thousand whites of all ages and sexes, has three thousand Chinamen. Practically the whole value of the restrictive treaty with China has been to avoid undue irritation to the self-respect of her government, a result right and proper in itself, and tending to the elimination of a source of possible, though minor, annoyance in carrying into effect a policy of repressing Chinese immigration. In like manner the practical value of all anti-Chinese

legislation heretofore enacted has been incidental rather than positive or direct. It has tended in the right direction, is evidence of an appreciation by the public of the necessities of the times, and serves as a precedent for further and, it is to be hoped, more effective laws, but it has fallen far short of what was expected and desired. Chinese immigration has continued and increased, and the promised relief has been little more than an illusion. And this increase in Chinese immigrants has been, and is, common to every region accessible to it, and raises from them all the same protest. Within a few weeks of this present writing shiploads of Chinese have been warned from the ports of Australia, and the same problem is met in the same spirit in Australasia as on the Pacific coast of our own country.

The recent experience of Hawaii is of interest in this connection. In 1878 the Chinese population of the Islands was five thousand nine hundred and sixteen. In five years it rose to sixteen thousand. In February, 1884, it was seventeen thousand nine hundred and thirty-seven, of whom only eight hundred and seventy-one were females. In March of that year a law was made that, aside from persons specially admitted by passports in designated cases, no foreign vessel should land more than twenty-five Chinese at any port of the Islands, and in February, 1886, this privilege was cancelled and the government definitely adopted the policy of putting an end to further Chinese immigration altogether. Of the Chinese already in Hawaii, about twenty per cent. "are engaged on the plantations"; the remainder are "occupied as rice-planters, gardeners, shopkeepers, fishermen, tailors, boot and shoe makers, domestics, peddlers, etc., and in various other pursuits." The American minister at Honolulu, writing in 1883, informed our State Department that "a further considerable increase in the number of Chinese laborers would assuredly hasten the destruction of the native people, and sooner or later render it difficult for the Hawaiian Government to

protect the great foreign interests commercially controlling the islands."

We have already seen the conditions under which the Chinaman exists at home—the pressure of poverty and privation which urges him to emigrate. We have also seen how he carries with him the sordid habits to which he has been trained from infancy. In California he can obtain all that his habits of life require for ten cents per day. Whatever he earns above this is profit clear, to be saved, and eventually to be taken to China when he returns. Living at this rate, competition in the labor of Caucasians cannot affect him to any measurable degree, for the rivalry that would bring the white laborer to starvation still leaves the Chinaman a margin which, compared with what he could make at home is wealth. With this condition of affairs well known in China, as it most assuredly is, and with a merely perfunctory operation of the law relating to exclusion, it would, indeed, be little short of a miracle if the Chinese ceased to swarm into a country where the waste thrown into the garbage-basket is often better than the fare that gives them sustenance at home.

Thus far I have considered Chinese immigration principally with reference to its results on the Pacific coast, and but incidentally as concerns other portions of the country. The subject is, however, of more comprehensive import and to be received in a broader light. The influx of the Chinese is not confined to the region west of the Rocky Mountains. It has extended to all portions of the country, and if not subdued will sooner or later come into direct competition with every class of labor in every State and Territory. Thus various elements not hereinbefore considered are essential to the proper examination of the subject. It becomes necessary to consider the existing condition of the producing classes in our own country, the extent to which that condition may be aggravated by the inflow of cheap labor of races kindred to our own, and the effect of Chinese labor

upon a large percentage of our population, enfranchised by the late war, and whose welfare cannot be ignored without danger.

XXVI.

OUR PRODUCING CLASSES CAN BEAR NO GREATER COMPETITION FROM CHEAP LABOR THAN THAT FROM CAUCASIAN SOURCES.—THE CHINAMAN *versus* THE ITALIAN AND THE HUN.

As concerns the remuneration of labor, our country is no longer the paradise it was in former years. Agriculture in the Eastern and Middle States is far from being a prosperous industry, and affords but modest recompense to the laborer. The sharp competition of life in large cities has introduced conditions of existence which were unknown thirty years ago, and which are as serious in import as they are novel to our communities. The struggle for life has introduced female effort into the labor field to an extent undreamed of until within the last decade ; and the discontent of the working classes is not only evidenced by colossal trade and labor organizations, but is justified by the disparity between earnings and the cost of the necessaries of life. These latter, with the Caucasian workingman, comprise not merely the means of physical existence, but also many other things which the requirements of civilization demand. Even if there were no other factor in the calculation, this alone would prove that the introduction of Chinese labor must inevitably lead to mischief. Discontented, and in many cases justly so, with existing conditions, the Caucasian laborer cannot be expected to bear with equanimity competition with the new element of labor which can support itself and accumulate property at rates of wages inadequate to maintain the Caucasian and his family in physical health or to sustain even the strength that is required

for the performance of labor. To this must be added the second element above referred to, which has assumed the most notable proportions within the past few years, viz.,the introduction of an entirely new class of immigrants, comprising the Italian and the Hun.

At this point the query may be made—and superficial though the question be, it is entitled to a fair answer, why do not the same objections apply to the Hungarian and the Italian as to the Chinese?

Whatever the temporary effect of the new class of European immigration referred to, and that it must have an appreciable effect is manifest when we consider that an hundred thousand Italians have been landed in New York in a single year, there is behind it no overwhelming population such as urges the Chinese to pass beyond the bounds of their own country. The entire population of Italy is less than one-twentieth of that of China, and the density of its population is but a fraction of that of the latter country. A similar remark applies to Hungary. The excess of population therefore of both of these countries is comparatively light, and the emigration of any considerable percentage, by diminishing the laboring population at home, will tend to disturb existing conditions and thereby produce a reaction tending to retain the producing classes in their own country. This is especially true of Italy, whose policy leans to the concentration of her surplus population in dependent African provinces, which may add in many ways to her national strength. The matter is one to be weighed in a practical sense. With the Italian and Hungarian element, as with the Irish, German, and Scandinavian, the supply is not likely to be so great that it cannot be absorbed into the masses of our own people, as has been the case with every other class of immigration from Europe. The reservoir, in the nature of things, must soon become exhausted to the limit at which the would-be immigrant will be required *at home*; whereas, with the Chinese, the limitless source of

supply is overflowing from the operation of causes which the laws of nature itself must render permanent. The one is like the spring freshet of some of our mountain streams, destined in due course to diminish to slender and gentle flow ; the other is like the swell of the Yellow River, which, whether its waters rise or fall, keeps ever upon its surging and sullen course. The immediate effect, however, of Italian and Hungarian immigration is to tend to increase competition in labor, and to this extent to intensify the struggle for existence to which I have already alluded, and in the same ratio the new source of Caucasian labor supply affords a further reason why the introduction of the Chinese should be inhibited. The allegation which for years formed the stock argument of pro-Chinese advocates, that the cheap labor of the Chinese was a necessity in our industries, has no longer even the scant shadow of a shade of plausibility. All, and more than all, the demands for cheap labor from any industry is met, and more than met, from races cognate to, and easily assimilable with, our own.

At this point, no doubt, the controversialist may ask, why has not the Chinese the same right in this country as the native of Hungary, of Sicily, or of Naples? This query, though superficial as the other, is entitled, like the other, to a fair hearing and a fair answer.

The term " The tribes and kindreds of the earth " is one not without meaning. The Italian—and, though in a less degree, the Hun—is a part of the family of nations, which, under the ægis of Christianity, developed civilization, as we understand the term. The former is kindred to us through his Aryan lineage, and is linked to us by his share in the development of the enlightenment from which we profit: his language is one of a cluster that sprang from a common source in one branch of the Indo-Germanic. Both worship the Jehovah to whom our temples are raised, and their thoughts, however crude or narrow, run parallel with those inherent in the intellectual progress of our own people.

It is the manner in which Italian and Hungarian immigration has been conducted, and not the Italian or Hungarian *per se*, which is objectionable. No immigrant—however kindred his race or great its attributes in a civilization correspondent to our own—who comes, contract ridden, a mere tool in the hands of capital in its strifes with labor, can be a valuable addition to our population. The contract system, which regards neither the welfare of the immigrant nor the well-being of the land to which he comes, is one utterly to be condemned: *non constat*, however, that normal immigration from Europe, corresponding to that which from one or another European country has gone on from the foundation of our government, is to be discouraged. We are not to forget that the European, whatever his country, assimilates readily with our population, and the characteristics most dominant in his people are capable of enriching, in the mingling of kindred races incident to the growth of our population, the character of our own. For it is by the admixture of races of European origin that a distinctly American type of humanity is to be produced, moulded, and shaped, within near generations, under the novel conditions and broad opportunities of a new world. A depressed and half-forsaken kinsman the Italian or the Hun may be, of the stronger and thriftier that have peopled our country, but he is kinsman nevertheless, and may justly be allowed a place at the new hearthstone of the Caucasian race. It was an Italian who discovered this country and opened the knowledge thereof to our ancestors, and it is yet within the memory of men still in middle life that the sympathies of our people went forth to the Hungarians in their struggle for a national existence. The selection, if the term may so be used, of the incoming peoples who will aid in the settlement of our country, and ultimately, by their fusion, assist in producing its distinctive population, must be from the dwellers of Europe; from the sources *from which our* civilization, our religious beliefs, our social

system, and our political institutions have been to a greater or less extent derived. And from the Norwegian, who still preserves in his land of lake and mountain the simplicity and freedom of an early democracy, to the Slavonian who, on the eastern plains of Europe, has guarded the frontiers of Christendom for a thousand years, and southward to the Mediterranean, all may be fitly conceded the privilege of sharing the New World subject only to our laws, the binding force of our political traditions, and the spirit of our free institutions. All are pliant and easily moulded to new conditions, and for the most part melt readily into our population, so that in two or three generations their special character disappears. But with the Chinese no such rule or principle applies. Distinct, separate, segregated, in all things alien to us as would be the inhabitants of another world, they possess none of the characteristics which render possible the assimilation of immigration from Europe—none of the implied rights which arise from kinship in historical development, in blood or faith.

XXVII.

THE CHINAMAN *versus* THE EMANCIPATED NEGRO OF THE SOUTH.

THE further phase of the matter under consideration, viz., the bearing of Chinese cheap labor upon the welfare of the emancipated negro, is one that has not received the attention that its importance requires. It is fortunate that the industrial condition of the Southern States has not thus far been such as to invite to any great degree the Chinese to active competition with the laboring population. The Chinese east of the Rocky Mountains have, for the most part, confined themselves to the large cities, although one of the first suggestions made by advocates of Chinese cheap

labor was that it could be employed to advantage in the cultivation of the staple crops of the South. The negro population at the conclusion of the war aggregated about three and one-half millions; at a moderate estimate it is now at least twice as great. Before the war its normal increase was five per cent. per annum, as stated by Calhoun in a Congressional debate, and the ratio certainly cannot have been less under the favorable conditions of freedom. The negro, although his wants are few, has been unused to privation. He has grown up and now exists under conditions which would be changed for the worse by any competition in the labor market which would materially reduce what he now receives. For the kind of labor to which he has been trained, and for which, perhaps, for many years to come, will be that to which only he can train his hand, is that to which the Chinaman would most readily gravitate. Whatever may have been the differences of opinion between parties in past times—differences that, for all practical purposes, were settled a quarter of a century ago—concerning the status of the negro, this much is manifest and undeniable: that the welfare of the white, as well as the negro, would be most seriously impaired by a competition that would virtually oust the negro from his vocation and render it necessary for him to plunder or to starve. This is no exaggerated phrase. With ancestors born under the bounteous skies of the tropics, and inheriting from them the necessities of a large and strong physique, used to the abundance of the sub-tropical regions in which, as the result of Caucasian cupidity, he has been bred, the negro can no more subsist on what would content the Chinaman than the buffalo could exist on wayside thistles. Drive the negro from the cane and cotton field by the competition of a class of laborers who will work for less than will afford him decent subsistence, and, with no gift of prophecy, the result can be inferred.

Yet there is no reason to suppose that the South can

long be exempt if Chinese immigration continues, as it has done in defiance of such efforts as have been made to prevent it. The Chinese in California kept at first to the cities, but soon spread over the whole State, and indeed over the whole Pacific slope, and the inland regions of Nevada and Colorado. Silent and persistent as the white ants that destroy the strongest timbers while the householder sleeps, they go further and further; and where they have once settled there they remain.

XXVIII.

PERSISTENT AND INCREASING INFLOW OF CHINESE TO ALL AVAILABLE REGIONS.

THE insidious increase of the Chinese population in despite of all antagonism has, indeed, been paralleled whenever the race has once obtained a foothold, and peculiarly pertinent to this phase of the question is the fact that the Chinese have never retraced their way from any region where they have once established themselves. Once, it is true, centuries ago, China withdrew from conquests that extended almost to the Caspian Sea, and this was done voluntarily in order to avoid possibilities of close relations with the nations of the west; but aside from this the dragon flag has never been more than temporarily lowered from any country where it has once been planted. Time has been within the past few hundred years when China possessed nothing but her own area, the Central Kingdom. To-day she has obtained, either by peaceful acquisition or by conquest, the control of the countries of Mongolia, of Mantchuria, of Eastern Turkestan, and of Thibet; and her population is swarming into Siam, and some portions of India, while Java has more than one hundred thousand. Even the wilds of Borneo are not exempt, and the complete control of Formosa is but a question of

time. More than this, in the Philippine Islands, the first foreign land to feel the noxious effects of Chinese immigration, neither statecraft nor slaughter has been sufficient to uproot the peaceful invaders. Nearly three hundred years ago, at a period when the Spanish residents of the Philippines were only about eight hundred, the Chinese numbered nearly twenty thousand. A well-founded fear on the part of the handful of Europeans led to a contest in which the Spaniards, provided with fire-arms, succeeded in slaughtering nearly the whole number of the badly-armed celestials. Yet within thirty years thereafter, the Chinese population had increased, through new immigrations, to thirty-three thousand. These were in time detected in fomenting rebellion, and the work of the previous generation was repeated. Fully two-thirds of the Chinese were destroyed. After this, legislation limited the Chinese in the islands to six thousand ; and in 1710 they were all expelled, and trade with China was prohibited. But, with all this, it has been impossible to keep them away, there being at the present time about ninety thousand Chinese in Manilla.

The meaning of these incidents in the history of Chinese emigration is emphasized by the admitted fact that the outflow has occurred in defiance of the authorities of China, and not by their favor. With a wise forecast, the policy of the Government, since the rise of the western powers, has been to keep the empire intact, and to prevent, so far as possible, the involution of its people with those of other countries. As we shall see further on, this policy, sound and considerate in itself, has been broken down only by the persistent efforts of the foreign powers, to whom our own country has acted as deputy-assistant in no very dignified manner or degree. The enforcement of Chinese law has been sufficient to restrain the inhabitants of the interior from seeking a foreign outlet, but this has been ineffectual as concerns the outer provinces. The Chinese population on our Pacific coast is, as we have seen, from one hundred

and fifty thousand to two hundred thousand, yet all of these have been derived from an area of but fifteen thousand square miles, embraced within the province of Quang-tung, this area having a population of five millions. An immigration, in the same ratio of population, from the entire Central Kingdom, would launch upon the Pacific coast a population of some fifteen millions. But so great and so dense is the population of China, that the loss of these millions of her inhabitants would make no perceptible change in her resources, or in her industrial, social or political condition. To offset the temptation to immigrate there is nothing but the natural, but, under such circumstances, easily-overcome conservatism which makes part of the character of the people,—and the dislike of the Chinese Government to the infraction of a traditional, though now much-weakened policy.

For it is to the conservative policy of the Chinese Government, and to this alone, that the western coast of America thus far owes even its comparative immunity from the overwhelming influence of Asiatic immigration. I use the term "comparative immunity" advisedly. If China encouraged the overflow of her people to the same extent that she has discouraged it, the Chinese question would have been already settled beyond recall. Reverence for the wisdom of their ancestors in binding each citizen to his native land by indissoluble ties, has until lately led China to maintain a policy, the results of which have been even more favorable to our safety than conducive to her own. As we have seen, China, for many hundred years, discouraged the immigration of her people. We have seen, also, that the barriers she builded to shield her empire were broken down by force and fraud in which, in the later days at least, we had our share. We have seen, too, that the Chinese intellect, the Chinese character, is strong, vigorous, patient, and far-sighted ; and that as diplomats the statesmen of China have held their own with those of every other

nation in the world. This people, thus constituted, have now reached a point where the policy of four thousand years, if not manifestly reversed, is shaken, and China, instead of standing upon the defensive, is upon the verge of, if she has not already adopted, an aggressive policy.

The signs of aggression are neither few nor obscure. As already remarked, on her own coasts and in neighboring regions she has supplanted the enterprise of Europeans and Americans. This process is now being extended to our own country, and, if continued, will soon constitute, upon the Pacific coast, a power too strong to be overcome by policy or war. One hundred and forty thousand of Chinese, it was stated on apparently good authority, had already found a place in Cuba eight years ago. The same year witnessed the inauguration, with the steamer *Hochung*, of direct trade in Chinese steam-vessels between Hong-Kong and San Francisco. The opportunities afforded by a favorable public opinion and thoughtless governmental action, both in this country and in Europe, have enabled China to avail herself of the latest and most improved resources, whether for peaceful or warlike purposes. Hundreds of the best of her young men have been educated in Caucasian schools ; the scientific works of Europe and America have been translated into her language for the use of her officials. Armories have been established on Chinese soil for the manufacture of improved fire-arms for Chinese troops. China has defeated the Russians in Kashgar with muskets from the arsenals of Europe, and has mounted Krupp guns on the earthworks that guard the inlets to the great rivers. And within the past few years she has equipped a navy which, with the single exception of that of Great Britain, carries heavier and more effective ordnance than that of any other nation in the world. And it is this nation—possessed at the present time of a population of upwards of seven hundred millions, increasing at the rate of one per cent. per annum, or one hundred and forty millions in

twenty years—it is this nation, hemmed in on all sides, save that of the sea, and with a soil that has already reached the limit of productiveness for its people, with whose myriad swarms our own country is brought face to face.

XXIX.

CHINESE IMMIGRATION SHOULD BE STOPPED AND THE CHINESE ELEMENT ELIMINATED FROM OUR POPULATION.

A PEOPLE of a type the least complex, and consequently the most persistent, on the face of the globe ; having the characteristics, indurated through the generations of five thousand years, to which, in detail, reference has herein been made ; possessed of the continually accumulating power of a population equal at the least to two-fifths of the total of the human race, increasing constantly and overflowing its own regions in all directions, urged forward by famine at home and lured by the promise of plenty away; governed morally, socially, and politically by traditions immutable almost as the law that governs the ebb and flow of the tide, and in each and all at variance in kind and purpose from that which the Caucasian holds highest and best, such are the Chinese—such is the race that, silent and sinuous as the waters that crept through the reeds of Kaifung ere they deluged the three thousand villages of Ho-Nan, is seeking our shores.

Is it not time to protect ourselves against the influx of such a people, the commercial enterprise of such a country, the possible aggressions of such a power ? But in what way shall the inflow be stopped and its reflux be secured ? Considered with reference to the formalities and technicalities of diplomacy, the subject is perhaps not free from complexity. Examined with reference to expediency, to the broad equities which, with nations as with individuals, should be of controlling authority, the case grows comparatively clear. Sweep-

ing aside all sentimentality and all technicalities woven by diplomacy, or rather by the lack of it, the most direct method is the best. The *amour propre* of China may be conciliated by treaties, and her friendly offices secured by a just and honorable abstention from interference with her internal affairs. But, as we shall see, her best wishes and possible volition are but partial factors in the question. Either with or without her assistance Chinese immigration should be stopped by all the power of the government, and the elimination of the Chinese from our borders should be secured with the least possible delay. And preliminary to these, such legislation should be had as will either *de facto* or *de jure* abrogate our existing treaty relations with China, so far as they permit Chinese immigration or provide for the retention of the Chinese already here.

Notwithstanding all argument to the contrary this would involve no breach of international comity, and no exercise of authority not lawful under the code of nations. Nor need the remedy involve oppression to those whose exclusion is essential to our national welfare. Laws the most severe and rigorous in their object may be so framed as to prevent evasion and yet temper their operation to a minimum of hardship. The Chinaman is alien in all things to our people and our institutions. The wealth that he gathers—for however moderate according to our standard, it is wealth to him—is garnered to be carried to China, not destined to add to the accumulations of the land in which he temporarily sojourns. And if he be sent back before his harvest is completed he may still congratulate himself that he is richer than if he had not visited this country at all. So much for the effect on the individual. From the standpoint of international polity, China can have no cause of complaint if we, under an hundred-fold the provocation, follow the example which, age after age, she set to the world. If China was justified, as she most assuredly was, in excluding foreigners lest her internal peace and prosperity should be

impaired by their craft or their energy, we are more than justified in excluding her people from our borders now that they, by their presence, do us harm greater than any she had reason to fear for herself. Of all the nations of the earth China is the last that can reasonably object to a policy which would exclude her people from Caucasian countries—a policy which would tend to the same end as her traditional one of keeping her people at home ; and which would imitate her example in eliminating an objectionable element from a population characterized by the necessities, and imbued with the ideas, of an entirely different civilization.

Theoretically, during the past eight years, the aspect of the Chinese question has changed for the better. Practically and in fact it has changed for the worse. On the one hand the Government of China has formally acquiesced in the principle of exclusion, and a possibly irritating ingredient has been thus eliminated ; the necessity of exclusion has become so apparent that Federal laws have been passed with the object of carrying that principle into effect, and the question of Chinese immigration, instead of being considered, as in many portions of the country it was but a few years since, as a matter of merely local import to California, is rapidly becoming familiar as a living question, important to all portions of the country and to every element of the State. On the other hand the treaties with China have been so framed that, while keeping to the letter, they elude the spirit of our requirements. The laws have been evaded from the beginning, and judical interpretation and executive performance have in many cases fallen far short of fulfilling expectations founded on the acts of the legislature.

The first act passed by Congress adverse to the influx of the Chinese was in 1879, and was the slow result of a report made several years before of a Congressional committee that had visited the Pacific coast to investigate the effect of

Chinese cheap labor upon its industrial population. That report had deprecated, in the most vigorous language, the introduction and presence of the Chinese. It set forth that Chinese immigration had "discouraged and retarded white immigration to the Pacific States"; that the Chinese "have no knowledge of or appreciation for our institutions"; that they "have a *quasi* government among themselves independent of our laws"; that the "apparent prosperity derived from the presence of the Chinese is deceptive and unwholesome, ruinous to our laboring classes, promotive of caste and dangerous to our institutions"; and that "their vices are corrupting to the morals of the city, especially of the young." That report further set forth that the Chinese immigrants "can subsist where the American would starve; they can work for wages which will not furnish the barest necessities of life to an American." It set forth that they made their way "by revolting characteristics and by dispensing with what had become necessities in modern civilization," and that as they "have no families to support or educate they are able to compete with white labor in all departments and exclude it from employment"; and that in that year, 1876, the Chinese were increasing "more rapidly than the other adult population of the State." The facts thus disclosed were beyond cavil, and the conclusions to be drawn therefrom were indisputable. In the face of these, however, Rutherford B. Hayes, then President of the United States, vetoed the bill, and Chinese immigration went on without even the semblance of hindrance during two years thereafter, or until the Act of 1881; the latter consequent upon an ameliorating convention with China. As concerns this convention, no objection can be reasonably made, for the wiser method in diplomacy, as in all else, is that which smoothes asperities and respects the point-of-honor inherent in the rights of governments as of men. Beyond this, however, the treaty itself was of little or no value in retarding the influx of the Chinese. The act itself, while tending

to formulate public opinion, has been, as I have said, and as will be considered further on, in great measure frustrated. It was and is in fact an opiate rather than a remedy. It has lulled public opinion to sleepy carelessness, while the disorder has gone on all the more dangerously and insidiously because of the belief that a check had been applied.

XXX.

OUR TREATY RELATIONS WITH CHINA, THEIR LEGAL BEARING AND EFFECT.—RIGHT AND NECESSITY OF ABROGATING OUR CONVENTIONS WITH THE CHINESE GOVERNMENT.

A REGARD for treaty obligations was stated by Mr. Hayes as the reason for his veto of the bill. His language pronounced the treaty with China to have the force of a provision of the Constitution. Although the subsequent convention with that country and the progress of public opinion has measurably eliminated this idea from discussion, it is one likely to recur at any time when new legislation may be required. For this reason the alleged grounds for the veto of the bill referred to may be here considered in some detail as not only proper but necessary to a full consideration of the legal principles involved. The same paragraph of the Constitution which provides that treaties made in accordance therewith shall be the supreme law of the land, also declares that statutes made in accordance therewith shall be the supreme law of the land. A law of Congress, therefore, stands upon the same level and has the same force as a treaty with a foreign power. From this it follows that the latest manifestation of the legislative or treaty-making power, as the case may be, must prevail over any previous action of converse tenor, and a Federal statute contrary to a provision of a treaty necessarily repeals the treaty itself. This is sound law as well as common sense. In order to secure a change in the Constitution,

the favorable action of Congress and the consent of three-fourths of the legislatures of the States is required. When such care was exercised to prevent the hasty change of any of the provisions of the organic law, it cannot have been the intent of its framers that a treaty, entered into by a single plenipotentiary and ratified by the President and Senate, should have a power binding as that of the Constitution itself, and be capable of disturbing our industrial, social, and political equilibrium. To say that the Senate and an envoy appointed by the President possess a power greater than that of both houses of Congress and the President together, is to reverse the principles and traditions that have controlled the government and expressed the will of the people from the beginning. That vigorous action is necessary in our own defence is, I think, clear to any one who will carefully investigate the facts and draw conclusions from them with the same direct logic as is applied to the ordinary concerns of life. And there is no ground for doubt that this action, to be effective, should not be delayed.

Our treaty with China, in all that permits the presence of the Chinese within our borders, should be rescinded ; if with the consent of China so much the better ; for such a consent on her part could well be met on ours by withdrawal from the entangling alliances with foreign diplomacy at Pekin which have made us so often the mere implements of injustice and oppression in the furtherance of European designs. But in the absence of coöperation from China, the way to the same result lies open, clear and manifest, upon the general principle that the exercise of inherent constitutional power through legislation alone may legally transcend any implied or direct provisions of the treaty. With nations as with men, self-preservation is the first law of nature, and the primary duty of the sovereign power of the state is the protection of its own people.

But this phase of the matter may not be dismissed with a

paragraph, and its close and minute examination should not be forborne. The national conscience and the national dignity demand that, in an international controversy, our people should show as clear a cause as would, in the case of an individual, call for a favorable verdict in a court of equity. What, then, are the legal and equitable conditions involved in the remedy of the present and the prevention of the impending evil? What are the methods, under the forms of law and according to precedents established as just between nations, by which the policy of the government may be reversed and the immunity of our people from Asiatic invasion be secured? To answer this query, requires an investigation of the nature of treaties, and their scope and limitations as concerns their binding force; of the course pursued by other nations in similar but less momentous exigencies; of the precepts of our own political jurisprudence; and of our treaty relations with China since and including the first convention entered into, forty-four years ago. In other words, we are now led to a consideration of the law of nations so far as it relates to the matter before us.

A treaty is not, as pro-Chinese advocates apparently believe, a contract changeless as the laws of the Medes and Persians, and binding for all time, no matter what ruin it may entail. It is an agreement entered into by two powers for their mutual advantage; and, like a contract between man and man, depends for its permanence and validity upon equity and good conscience. Although some treaties—for example, those relating to boundaries—are in a manner permanent, as they revive after war unless modified by subsequent conventions, yet most, in the very nature of things, are transitory. The conditions under which they are made change or disappear, and what at first was equitable, or believed to be so, is proven by the lapse of time to be productive of harm. Thus it is that while some treaties have been in a degree enduring, and have established

certain principles of public comity, by far the greater number have been modified from time to time, to bring their provisions into closer concord with newly-developed ideas of national safety or international justice.

This fact lies at the very foundation of the law of nations; without it, future generations might be chained and mortgaged by their predecessors, and have no recourse. Without it, a people might be ruined by the mistakes of a vain diplomatist, the treason of a crafty ruler, or the thoughtless outburst of a popular enthusiasm. It is not to be permitted that the liberties, the prosperity, the evolution, and development of nations should be arrested by the iron weight of unchanging and unchangeable treaties which, under verbal forms, might place the industries and the social and political interests of a country in jeopardy, as those of this country are jeopardized by China at the present time. Hence, a treaty which tends to the irremediable injury of one of the contracting parties is absolutely void; it has no place in the law of nations. This is and has been held by jurists since the code of nations was first formulated, as the highest expression of human law. In the words of Vattel, whose works, during a hundred and thirty years, have been the guide of statesmen and diplomatists: "A treaty pernicious to the state is null, and not at all obligatory, as no conductor of a nation has the power to enter into engagements to do such things as are capable of destroying the state for whose sake the government is intrusted to him."

And, further, not only may no treaty-making power alienate the welfare of its people, but it is contrary to the order of nature and the well-being of humanity, that a nation should be held to conditions that tend to its overthrow. Says the same writer: "The nation itself being necessarily obliged to perform everything required for its preservation and safety, cannot enter into engagements contrary to its indispensable obligation." In like manner

Wheaton, the American publicist, whose treatise has been an authority for more than fifty years, and which, it may be remarked, was translated into the Chinese language sixteen years ago for the use of the Chancellerie, expressly holds that "a total change of circumstances" renders a treaty "no longer obligatory." And the venerable Dr. Woolsey, whose volume is the text-book of American colleges, uses on this head language stronger even than that of Vattel. "A treaty," he says, "in which the treaty-making power flagitiously sacrifices the interests of the nation which it represents, has no binding force. In this case the treacherous act of the government cannot be justly regarded as the act of the nation, and the forms ought to give way to the reality of things."

Let us consider the Burlingame treaty upon the principles elaborated by these masters of juridical learning, and by the truths that spring from natural law as well as from legal lore. That treaty in its direct outcome has convulsed the industries, disturbed the political condition, and destroyed the social balance of one of the best portions of our country. It has arrayed section against section, and class against class. It tends to depress the laborer to vassalage, and to elevate the great landholder to almost feudal power, and threatens at no distant day to deliver one of our fairest regions to the sway of the Mongolian, and to bring to the eastern portion of our country the same embittered relations between capital and labor, employer and employed, that have agitated the people of California and barred the way of progress of their State. Even if that treaty is otherwise binding, which it is not, and even if there were no other objections to its validity, and there are many, its pernicious results and its inherent folly should insure its immediate and absolute abrogation. Its annihilation falls clearly within the provision of the law of nations, and would be more than justified by the primary law of self-preservation.

Nor will we find precedents far or few. History is full of them. Less in magnitude, it may be, but in ethics and principle the same. Three hundred and eighty-two years ago the States General of France compelled their king to cancel a treaty "because that treaty was pernicious to the kingdom." Less than four decades ago the same country, under the Lamartine administration, after the flight of Louis Philippe, made solemn declaration that "the treaties of 1815 exist no longer in the eyes of the French Republic." In 1850 Great Britain invoked war, the destroyer of treaties, and blockaded the ports of Greece because, as was alleged, the courts of that country "were in such a state that justice could not be had" by one Pacifico, a British subject whose dwelling had been sacked to the extent of seven hundred and fifty dollars by an Athenian mob. And this was done notwithstanding the rule of international law under which Pacifico should have exhausted his remedy in the Greek tribunals before appealing to the political branch of his own government. The action of the United States regarding the French treaties is hereinafter adverted to. The course of Russia in annulling a restriction on her freedom of action in Eastern Europe, laid upon her by treaty stipulations with the western powers, is too recent to require more than a passing mention.

As concerns the treatment of this question from a legal standpoint by our own Government, we have to bear in mind that it is presented in two aspects. First, the legal right of Congress to repeal a treaty. Second, the moral justification for such repeal. The former was indicated by judicial *dicta* nearly a century ago. In the case of *Ware* v. *Hylton*, before the Supreme Court of the United States, in the year 1796, it was asserted by Justice Iredell that if Congress should declare a treaty void, he should deem it his duty to so consider it "and then forbear any share in executing it as a judge." The question became, however, the subject of more careful and determinate consideration

about thirty years ago, and the principles involved have been elaborated by a series of juridical opinions and judicial decisions extending nearly to the present date. It was carefully entered into in 1851 by the then Attorney-General with reference to the power of the Secretary of the Treasury in the matter of certain Florida claims preferred under the ninth article of the treaty between the United States and Spain.

Regarding this it was fully conceded that an act of Congress, subsequent to the treaty, conflicted with the latter. The opinion is careful and exhaustive, and its conclusions were expressed in no uncertain terms. It set forth that the only provision of the Constitution relating to the subject, that is "This Constitution and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made under the authority of the United States, shall be the supreme law of the land." After quoting this, the sole authority under which the Government may conclude a treaty, the opinion continues: "An act of Congress, then, is as much a supreme law of the land as a treaty. They are placed on the same footing, and no preference or superiority is given to the one over the other. The last expression then of the law-giving power must prevail, and just for the same reason, and on the same principle that a subsequent act must prevail and have effect though inconsistent with a prior treaty."

Further on in the same opinion the same jurist condenses the controlling principles of constitutional and international law bearing upon the question under consideration, in language so clear as to be worthy of extended quotation. He says: "The supreme political and legislative power of this country is placed in the hands of the Government of the United States under the Constitution, and its acts are uncontrollable except only by that Constitution; and that Constitution does not say that Congress shall pass no law inconsistent with a treaty, and it would have been a strange

anomaly if it had imposed any such prohibition. There may be cases of treaties so injurious, or which may become so by change of circumstances, that it may be the right and duty of the government to renounce or disregard them. Every government must judge and determine for itself the proper occasion for the exercise of such a power; and such a power, I suppose, is impliedly reserved by every party to a treaty, and I hope and believe belongs inalienably to the Government of the United States. It is true that such a power may be abused—so may the treaty-making power, and all other powers—but for our security against such abuse we may and must rely on the integrity, wisdom, and good faith of our government." From this opinion of the law officer of the government, designed to aid the latter in its relations with foreign powers, we may turn to the decisions of our courts in which the same problem has been presented to their jurisdiction in matters of domestic concern.

In 1855 the question of the power of Congress to repeal a treaty came before the United States Circuit Court for the first circuit, in *Taylor* v. *Morton*, before Judge B. R. Curtis, whose profound learning in the higher branches of the law has long been the subject of legal encomium. The action related to the collection of duties on the importation of Russian hemp, levied under an act of Congress admitted to be in direct collision with the treaty concluded with Russia in 1832. The question, so far as it relates to the issue under consideration, was stated by the Court in the following words: "That an act of Congress should levy a duty upon imports which any existing commercial treaty declares shall not be levied, so that the treaty is in conflict with the act itself, shall the former or the latter give the rule of decision in the judicial tribunals of the United States in a case to which one rule or the other must be applied?" Through a chain of reasoning cogent and convincing, but too closely woven throughout to admit of

brief extract, the Court arrived at the conclusion that Congress has the power of repealing treaties. This decision was reached not only from the terms of the Constitution itself, but upon the further ground that any other interpretation would render the Government of the United States unable to change or abrogate a treaty without the consent of a foreign government. Said the learned and able judge: "That the Constitution was designed to place our country in this helpless condition is a supposition wholly inadmissible." Upon a still broader basis of reasoning he enforced a primal principle of international law by declaring that the power to refuse to execute a treaty "is a prerogative of which no nation can be deprived without deeply affecting its independence," and expressed his clear and profound conviction of this in the following words: "That the people of the United States have deprived their government of this power in any case I do not believe. That it must reside somewhere and be applicable to all cases I am convinced. I feel no doubt it belongs to Congress." The Court found, moreover, a leading precedent dating back as far as the year 1798, when Congress declared the treaties with France no longer obligatory on the United States.

The same principle was affirmed by Judge Woodruff, in *Ropes* v. *Clinch*, in the Circuit Court of the United States for the Southern District of New York, in April, 1871. Although the parties were different, the subject-matter was substantially the same as that in *Taylor* v. *Morton*, the suit having been brought against the Collector of the Port of New York, to recover duties paid under a law in conflict with our treaty of 1832 before referred to; the duties having been paid under protest. The sixth article of the treaty declared in substance that no article, "the produce or manufacture of Russia," should pay a higher duty than a "like article produced or manufactured in any other foreign country," whereas the act of Congress levied forty

dollars per ton on the hemp of Russia, and but twenty-five dollars per ton on the hemp of India and Manilla.

Here was a direct conflict between the express terms of a treaty and the specific language of an act of Congress of later date. The language of the act was held by the Court to be unequivocal, incapable of any interpretation that would not place it in direct conflict with the treaty. The Court said: "I understand it to be conceded, and if it be not, I should be constrained to hold that the legislative department in this government may pass any law it pleases (if it is otherwise constitutional), notwithstanding it conflicts, and notwithstanding whatever degree greater or less it conflicts, with the existing treaty with a foreign nation."

In the same paragraph the Court declared that the legislative department has power to "give to those laws efficiency and force." The question had, however, come before the Supreme Court of the United States, in the previous year, in the *Cherokee Tobacco Case*, in which the merits were as follows:

By the tenth article of a treaty entered into with the tribe in 1866, it was agreed that "every Cherokee Indian and freed person residing in the Cherokee nation shall have the right to sell any products of his farm, including his or her live-stock, or any merchandise or manufactured products, and ship and drive the same to market without restraint; paying any tax thereon which is now or may be levied by the United States on the quantity sold outside of the Indian Territory." In 1868 Congress passed a law for the collection of internal revenue, which imposed a tax "on distilled spirits, fermented liquors, tobacco, snuff, and cigars produced anywhere within the exterior boundaries of the United States." It is therefore plain that while the treaty guaranteed certain exemptions to the Cherokees, the internal revenue law swept those exemptions away. In the language of the decision of the Court, delivered by Mr.

Justice Swayne, "undoubtedly one or the other must yield; the repugnance is clear, and they cannot stand together." The determination of the matter was lucidly set forth in the following terms: "The effects of treaties and acts of Congress when in conflict is not settled by the Constitution. But the question is not involved in any doubt as to its proper solution; a treaty may supersede a prior act of Congress, and an act of Congress may supersede a prior treaty. In the cases referred to (*Foster et al.* v. *Neilson*, and *Taylor* v. *Morton*) these principles were applied to treaties with foreign nations, treaties with Indian nations within the jurisdiction of the United States, whatever considerations of humanity and good faith may be involved and require their faithful observance, cannot be more obligatory; and no higher sanctity and no greater inviolability or immunity from legislative invasion can be claimed for them."

The text-writers, following the authorities, of course enunciate the same principle. Story on the Constitution, after an explanation of the force and obligations of treaties, considered as laws, proceeds as follows: "This will not prevent them from being cancelled or abrogated by the nation upon grave and suitable occasions, for it will not be disputed that they are subject to the legislative power, and may be repealed, like other laws, at its pleasure." It is thus manifest that the whole course of American jurisprudence, as conceived by jurists, and made authoritative and binding by our highest courts, holds that a treaty may be repealed by an act of Congress. The vested right of the legislative branch of the government to take such action as may seem requisite for the welfare of the people, irrespective of contracts entered into with foreign nations and here held to have the force of law, is therefore beyond dispute. Such being the case, we are brought now to this further consideration: What questions of public morality are involved in the exercise of the legal attributes of Congress in the premises?

At this point we are to bear in mind another and a very clear distinction which exists between a treaty considered as a law, and a treaty considered as a contract. As regards the powers of the legislative branch of our government the matter must be considered from the former aspect, for this is enjoined by the express language of the Constitution. But as concerns the equities or moral obligations of a treaty, as between nation and nation, it is to be looked upon in a different light. The provision of the constitution defines the status of a treaty within our own territory: it does not establish its extra-territorial position. This last depends upon the general principles of the law of nations, and under this—as defined by Chief Justice Marshall in *Foster & Elam* v. *Neilson*, and by all the commentators before and since—"a treaty is in its nature a contract between two nations." The legal power to rescind a contract being conceded, its sanctity and permanence should depend upon its fairness. In other words, upon the absence of those elements of deceit, error, or unconscionable hardship which would nullify an agreement between individuals. For it can hardly be maintained that a principle which would destroy a contract between man and man should not be held to apply to one in which the welfare of sixty millions of people is involved.

Before proceeding to the broader consideration of this phase of the matter, it may be well to remark that our courts have carried this idea into effective decisions, as notably shown in the *Cherokee Tobacco Case* above referred to, which was in part decided upon the fact that the treaty would have protected illicit gain within the Cherokee territory and interfered with the general welfare of the community. The broad doctrine that an act of Congress may lawfully abrogate the provisions of a treaty has been affirmed in later decisions; thus in the "Head-money" cases, in the United States Circuit Court for the Southern District of New York, in September, 1883, the Court said: "The act of Congress, if

in conflict with the prior treaties, supersedes them." It is also recognized in the broad statements of doctrine which I have quoted from Vattel, Wheaton, and others, as to the lack of inherent power in any country to lawfully injure itself by the unwise use of the treaty-making power. As I have already referred to the injury wrought to American industries and institutions by the inflow of Chinese under the provisions of the existing treaty, it is hardly necessary to further insist that this alone should be held a sufficient reason why the lawful authority of Congress should be exercised with a view to its prevention.

XXXI.

THE CHINESE, THE FAVORED NATION CLAUSE, AND THE FEDERAL COURTS.

THE necessity for a repeal of the treaties with China so far as they confer any right or privilege of residence in or immigration to this country is further shown by the interpretations given it by our courts, and the results derivable therefrom. The starting point of these was the favored nation clause—Article VI—of the Burlingame treaty, "which provides that citizens and subjects of the two nations shall respectively enjoy the same privileges, immunities or exceptions in respect to travel or residence within the country of the other as may there be enjoyed by the most favored nation." This, it is to be noted, by no means confers the same rights on Americans in China as are conferred by it upon Chinese in the United States. With our close commercial relations with Europe and near kin to her peoples, the permission to travel or locate within our borders is, almost as a matter of necessity, a principle of our national policy. With China the conditions are, and for centuries have been, entirely the reverse. Alien to the Caucasian and jealous of his approaches, China hinders his travel and

discourages his settlement in her regions; and the nation most favored by China has no privileges commensurate with those afforded to all foreigners in the United States. The proviso of the treaty which looks so fair upon its face, and which in treaties between Caucasian nations is based upon justice and sound policy, became a wanton concession, given utterly without consideration, when embodied in the convention with China.

It is upon the favored nation clause of the treaty that, as I have indicated, the lines of precedent *in re* the status of the Chinese in this country have been constructed. The constitution and laws of the Pacific States from the beginning of their history as members of the Federal Union have been framed and directed to reduce or prevent the evils resulting from the presence of the Chinese, and to a substantially equal degree their operation has been frustrated by the decisions of the Federal courts.

The constitution of Oregon was adopted in 1857, preparatory to admission to the Union. The State was admitted in 1859 and the constitution went into effect in pursuance thereof on February 14, 1859. That constitution, section 8 of Article XVI., comprised the following:

"No Chinaman not a resident of this State at the time of the adoption of this constitution shall ever hold any real estate or mining claim, or work any mining claim thereon. The legislative assembly shall provide by law in the most effective manner for carrying out the above provision."

At that time, thirty years ago, but few Chinese had ventured as far north as Oregon; their number was few and far between, but the menace of their presence was manifest from the results of their influx to California even then. The constitutional provision was followed by appropriate legislation, which authorized miners' meetings to make local regulations. In pursuance of this the miners of a district situate in Jackson County established rules which, *among other things*, declared that "no Mongolian or alien

who has not declared his intention to become a citizen of the United States shall hold or work any claim," and also provided that any claim be forfeited, if any Mongolian or Chinaman were employed thereon beyond a certain limited length of time. The Federal statute was to the effect that the mining lands were open to occupation and purchase by citizens of the United States and those who had declared their intention to become citizens; the statute thus by implication excluded all who did not belong to one or the other of these two classes.

In pursuance of the law, the complainant Chapman and four others located claims together and fulfilled the conditions required. They then brought suit for trespass and for relief against the defendant Toy Long and four others upon the ground of title legally acquired by them, under the law of the State, and the prohibition of alien miners by the Federal statute. The Court, basing its opinion upon the act of Congress, felt compelled to decide in favor of the complainants, but anent the law and constitution of the State its opinion was so flavored with adverse suggestion that it deserves attention here. After quoting the favored nation clause the judge used the language following:

"The right to reside in the country with the same privileges as the subjects of Great Britain or France, implies the right to follow any lawful calling or pursuit which is open to the subjects of these powers. Therefore, the provisions in the mining regulation of Poorman Creek, which, in effect, forbid Chinamen from working in a mining claim for themselves or others, as well as the clause of the State constitution, *supra*, to the same effect, seem to be in direct conflict with this article of the treaty, and, if so, are therefore void."

Let us analyze this *dictum*. Let us see what it means; read and re-read it. It amounts to no less than a judicial assertion that a treaty may nullify the organic law of a sovereign State, and annihilate a proviso of the

charter under which the State was admitted into the Union.

The next case bearing on the point under consideration was *In re* Parrat, tried in the Circuit Court of the District of California. The character of the opinion is best explained in the language of the *syllabus*, which is in these words: "Any provision of the constitution or laws of California in conflict with the treaty are void." It further says of a treaty that "the judges of any State, both State and national, are bound thereby, anything in the constitution or laws of any State to the contrary notwithstanding." The suit grew out of the provision in the constitution of California inhibiting the employment of Chinese by corporations created under and by virtue of the laws of the State. Sifted to its ultimate meaning this decision leads to but one conclusion, that under the treaty-making power as expounded by the United States Circuit Court for the District of California, the President and Senate can nullify the constitution and laws of any State, and inhibit the free exercise of its legislative powers in matters exclusively within its domestic concerns.

The same idea was further and more aggressively formulated in *Baker* v. *The City of Portland*, in 1879. The State of Oregon, through its Legislature, in due form enacted that no Chinese laborers should be employed on the improvements and public works of the State. The Federal Court declared that the act interfered with the treaty with China and was therefore void! in other words, held that the President, the Senate, and a foreign nation together can restrain a State from doing, in its sovereign capacity, and in its domestic affairs, what any individual has the undisputed legal right to do, viz., employ whom it pleases in the performance of his own work.

Upon the averments of those opinions no boundary is laid to the exercise of that power. They aver broadly that "the treaty-making power has been surrendered by the States to the National Government, and vested in the Presi-

dent and the Senate." Not a word to imply any constitutional limitation to its exercise. Nor upon the lines of reasoning adopted by the Court does any limitation seem possible. If the favored nation clause in a treaty with a foreign power can, as asserted in Toy Long's case, abrogate any prior existing constitution of a State, and if, as in Parrat's, it can destroy the control of a State over corporations of its own creation, and if, as in the City of Portland case, the State itself is powerless to declare whom it will or will not employ on its public works, neither logic nor imagination can fix the limit to which it cannot go.

Another line of decisions implies that Congress, acting adjunctive to the treaty-making power, may extend to the alien Chinese a protection which the constitution renders it impotent to extend to American citizens. The scope of the fourteenth amendment has been, as is well known, restricted to the action of the States in their sovereign capacity, and protects the citizen, not against aggression from the people of the State, but only against the effect of adverse legislation; and it was for this reason that in *U. S.* v. *Harris*, the Supreme Court held Section 5519 of the Revised Statutes to be unconstitutional. This section, too long for quotation here, related to conspiracies of two or more persons "for the purpose of depriving, either directly or indirectly, any person or persons of the equal protection of the laws, or equal privileges or immunities under the laws." One Baldwin was held—in the Circuit Court for the District of California—on a charge of conspiring with others to deprive certain Chinese "of the equal protection of the laws guaranteed to them under our treaty with China." The cause came on for hearing upon *habeas corpus* proceedings, and notwithstanding that the statute had been held void by the Supreme Court in a case where its benefit was claimed by a citizen, the Court held that it was valid with reference to an alien Chinaman. This cause went up to the Supreme Court and this decision

was reversed. But the overruling decision went only to the extent of holding that the section of the statute void as to citizens could not be held valid as to an alien, and was qualified by the words "that the United States have power under the Constitution to provide for the punishment of those who are guilty of depriving Chinese subjects of any of the rights, privileges, immunities, or exemptions guaranteed them by this treaty we do not doubt."

It is but fair to say, however, that this expression of opinion was not necessary to the determination of the question before the Court, and as *obiter* may be disregarded in the determination of a case in future in which the point may be directly involved. But it is clear that, if followed, it will affirm the right of the Federal Government to do for an alien Chinese what it is inhibited by the Constitution from doing for one of our own citizens. Such is the result, legally speaking, of our treaties with China upon the jurisprudence and the rights of our people. When treaty relations with a foreign power not only work injury to our industries and to the welfare of our producing classes, but place the alien in a position superior to the organic laws of our States, and entitle him to a protection unknown and forbidden to citizens of the United States, it is time those relations came to an end.

In view of the broad and far-reaching import of the decisions to which I have in brief above referred, it is hardly worth the while to consider in detail those of minor or merely local importance. Yet they may be briefly mentioned as further illustrating the general trend and tendency of Federal decisions on the Pacific coast with reference to the Chinese. In the case of Lee Tong, the city of Portland, Oregon, passed an ordinance in pursuance of an act of the State Legislature authorizing it to suppress gambling. The ordinance provided that any person carrying on or engaging in any game of faro, monte, poker, or other *enumerated games*, including *fan-tan*, should be punished

by fine or imprisonment or both. Upon a strictly technical ruling the Court, on a writ of *habeas corpus*, discharged the accused. In the case of Ah Jow, about two years since, an ordinance of Modesto, California, made it a misdemeanor for any person to keep or maintain any place where opium or its preparations was sold or given away, and also classed as a misdemeanant any person resorting to, frequenting, or visiting such a place, except in the case of druggists selling the drug for any ailment not caused by the use of opium,—the object being, of course, to close the opium dens of the city. Upon a line of reasoning which I have neither the space nor patience to consider, the Court held that the imprisonment of the Chinese offender violated "the Fourteenth Amendment of the United States Constitution by restraining one of his liberty without due process of law." In *Ah Kon* v. *Nunan*, an ordinance of the city and county of San Francisco declared that "every male person imprisoned in the county jail" should have his hair clipped to a uniform length of one inch. The regulation made no distinction between the Chinaman and the white, but the Court assumed in substance to take judicial notice that the act bore with especial severity upon the Chinese, and consequently declared it void. Another decision, of serious import in the event of any considerable natural increase of the Chinese in this country, is that in the case of Look Tin Sing, decided less than four years ago, in which it was held that the children of Chinese born in this country are citizens *de facto*, and that it is beyond the power of Congress to exclude them from the country. It may be here remarked that no legislature has ever extended the rights of citizenship to the Chinese, and as citizenship can only be extended to an alien by a law enacted for that purpose, the absence of such legislation is the ground upon which, as in the case of Ah Yup, decided about ten years ago in the Circuit Court for the District of California, alien Chinese are held to be inhibited from naturalization. It

has further been held, this time by a Federal judge in Massachusetts, that the act of Congress was dependent upon the treaty, and that as the treaty was made with China the act could not be applied to a Chinaman alleged to have been born in Hong-Kong. Of course, within the space afforded by these pages I have been able only to outline the judicial opinions referred to; the curious may readily consult them *in extenso* in volumes of Federal judicial opinions.

XXXII.

HEED SHOULD BE GIVEN TO PUBLIC OPINION OF THE PACIFIC COAST ADVERSE TO THE PRESENCE OF THE CHINESE.

IT is not to be assumed that the people of the Pacific coast are so unwise as to have appealed for thirty years against Chinese immigration without good reason for so doing. As we have seen, the constitutions of the States of Oregon and California, and legislation made in pursuance of those constitutions, have aimed directly at suppressing the Chinese as a disturbing element in those great commonwealths: and we have also seen how, through judicial interpretation, those States have been bound hand and foot, their constitutions in such regard held to be nugatory, and their state and municipal legislation declared to be so much waste paper. For more than a quarter of a century the world has witnessed the strange spectacle of one portion of a country held in virtual subjection to an alien and antagonistic race through the agency of the judiciary and the treaty-making power. The result of this has been the creation of an intense feeling among its citizens which, though it may be stifled and crushed so far as any overt action is concerned, is none the less an evidence of the endurance of a persistent wrong. That our treaties with China and the various laws directed against Chinese immi-

gration are to all practical intents and purposes a mere sham and delusion so far as effectuating their object is concerned, is illustrated by declarations like the following, which I quote from the telegraphic news of the New York *Tribune*, of July 8 of the current year :

"Six hundred and sixty-four Chinese arrived this week on a steamer from Hong-Kong, of whom one-half have no certificates, but depend upon the Federal courts to land them on *habeas corpus* writs. This business of getting into the country on a plea of prior residence is increasing. Judges and court officers are willing to aid coolies, as each writ means a fat fee for them."

The bitterness indicated by this paragraph is common throughout the Pacific coast, and the fact that of more than six hundred immigrants on a single vessel, one-half had ventured to take the voyage to California without the certificates required by law, demonstrates that there must have been solid grounds for their confidence. For it is not conceivable that after the requirements of the law have been so long and so thoroughly well known to the steamship officials and to officials at the point of departure, more than three hundred Chinese would-be immigrants would venture forth except upon substantial assurance that the need of the certificates would in some way be evaded. Of course, as concerns the concluding line of the quoted paragraph, it is to be said that Federal judges under the law receive no fees whatsoever, but are paid by stated salaries. But that such an averment should be made at all illustrates the intensity of the sentiment evoked among the population most directly affected by the presence of the Chinese, and by the course of judicial action thereon.

This bitterness, however, a month after the publication of the paragraph I have cited, was indicated by more pointed evidence of public opinion on the Pacific Coast. It may be remarked here that in 1884 Judge Sawyer made a decision which recognized parole evidence in place of the

certificate contemplated by the statute in the case of returning Chinamen. The more forcible voicing of public opinion to which I have just alluded is found in the memorial introduced in the House of Representatives on August 6 ult., which calls loudly for the impeachment of the United States Circuit Judge for the Ninth Circuit, and of the United States District Judge for the District of Nevada. It charges that since the Act of 1884 nine thousand Chinamen have been landed in San Francisco through the process of *habeas corpus;* that each coolie so landed brings a fee of twenty dollars; that the Circuit Court "is the conduit through which this Asiatic filth flows"; that statute law has not "been able to to withstand the hostile and destructive assault of the Federal judges" of the Coast; and that their course has been "an abuse of judicial power unparalleled since the days of Jeffries"; further, that at least four thousand Chinamen, without the certificates required by law, have been turned loose on bail, and that any of these may obtain his discharge by a false oath and the payment of the required fee. With regard to the restriction laws, the memorialists say: "In the attempt to carry out these laws the customs officials have been thwarted at every step by the mandates of the Federal courts. By the abuse of the right of *habeas corpus* the administration of the act has been taken from the hands of the Collector of Customs and usurped by the courts. The examination of Chinese on board ship, by the customs authorities, provided for in your act—which was the greatest safeguard against the landing of coolies—has been vetoed by the Federal courts, although it was approved by the President. So determined have been the judges to defeat the plan and only purpose of the law that they have gone the length of threatening with imprisonment the customs officials who have sought to perform the sworn duty imposed upon them by the Congress of the *United* States."

The fact that at the time of this present writing there are some four thousand *habeas corpus* cases of incoming Chinamen, without proper vouchers, pending in the U. S. Circuit Court for the District of California, is eloquent of the extent to which the evasion or defiance of the spirit and intent of the law is carried on. Aside from the direct importation of Chinese to San Francisco, and their spread westward through American country, their influx into the British possessions is practically unlimited, and from these they find easy access to the United States. During the past and present year large numbers have made their way across the continent by the Canadian Railway, and have then entered this country upon certificates real or alleged.

XXXIII.

ANALYSIS OF THE BURLINGAME TREATY.

We may now pass to another portion of the subject, that relating to the origin and effects of the Burlingame treaty. In doing this we necessarily revert to our early diplomatic relations with China, the latter designated in the treaties as the Ta-Tsing Empire.

In 1843, at an expense of forty thousand dollars, Caleb Cushing was sent as Envoy Extraordinary, etc., "to establish the future commercial relations between the United States and the Chinese Empire on terms of national equal reciprocity." A treaty was concluded in the following year and ratified by the Senate early in 1845. Within seven years from that date the influx of Chinese into California had alarmed the inhabitants and led to protests which were disregarded by public opinion east of the Rocky Mountains, and treated with contempt by the government. In 1858, an American commissioner was sent to coöperate with the envoys of other foreign countries in the accomplishment of the objects sought by the selfish and

aggressive diplomacy of Europe. This was but a continuation of our national subserviency to the interests of Great Britain, France, and other European countries who were seeking to establish themselves in Chinese waters for the purpose of controlling Chinese trade. This resulted in a second or additional convention, ostensibly for the regulation of commerce. Although these two treaties in many respects bore in favor of the Chinese and against the Americans, their defects were rather negative than positive. There was nothing in them that divested the United States of the right to control immigration to its own territories, or to restrict or regulate the privileges of such Chinese as might come to our shores.

It was left for an American citizen to resign the proud position of an American plenipotentiary, and to accept in its place the paying patronage of the Chinese Emperor; and through this to fasten upon his country obligations that in every line were a betrayal of her interests and a thrust at her permanent prosperity. In 1861 Anson Burlingame was sent to China as the Envoy of the United States. In 1867 he left the service of his own country, and returned as the head of a Chinese commission; his associates being two native Mongol statesmen, whose inferior station and astute humility provided a delicate foil to the ostentatious vanity and empty assumption of the tinsel ambassador. While the nominal chief of this Chinese embassy was overflowing with, and overflowed by, turgid streams of sentiment, his associates, the sedate Celestials, were quietly engaged in framing a treaty which, in sum and substance, was a series of abject concessions to China. In no wise was it an advantage to the United States. We cannot reasonably objurgate the Chinese envoys for doing their utmost for their own people, and we may even admire their sagacity in making use of an American implement in compassing their designs. It was their duty to secure the greatest possible benefit to their own government and to its subjects, and they would

have less deserved our esteem as patriotic men and skilful statesmen had their efforts been less than they were. But it is hardly possible to speak with respect of the mock mandarin, their associate and instrument, or of his aiders and abettors here. Every paragraph of what is known as the Burlingame treaty is either a useless or mischievous concession, or a formal recital of some mere platitude.

Section 1 binds the United States not to attack "the citizens or subjects of any foreign power, or their property, with which they may be at war," on any of the tracts of lands or water of the empire, which China had conceded to the citizens of foreign powers, and the same section also provides in substance that the Chinese authorities shall not be divested of jurisdiction over the persons and properties of citizens of the United States, in any tract of land conceded to the latter, except in the special treaty ports. Article II. provides that "any privilege or immunity in respect of trade or navigation within the Chinese dominions which may not have been stipulated for by treaty, shall be subject to the discretion of the Chinese Government, and may be regulated by it accordingly." Section 3 enacts that consuls appointed by the Emperor of China shall enjoy the same privileges and immunities in the ports of the United States as those enjoyed by the consuls of Great Britain and Russia. Section 4 concedes to the Chinese the previously disputed point, that places of sepulture must be held free from disturbance or profanation, and also provides for liberty of conscience in either country. This latter article, taken in connection with the rest of the treaty, means that an American may enjoy liberty of conscience in the treaty ports of China and the Chinese shall enjoy the same liberty throughout the whole extent of the United States; but as this is guaranteed in any case by our Constitution, and as the liberty existed in the treaty ports without the aforesaid article, the latter is simply an empty paragraph. Article V., in express terms, "cordially recognizes the inherent and

inalienable right of man to change his home and allegiance, and also the mutual advantage of the free migration and emigration of their citizens and subjects respectively from the one country to the other for purposes of curiosity, of trade, or as permanent residents." The advantage of which provision, in the nature of things, inures solely to the Chinese, for the reason that where one American emigrates to China, five hundred Chinese immigrate to the United States.

The same article contains a proviso that certain laws shall be passed concerning the forced emigration of coolies, and of this I shall have occasion to speak hereafter. Article VI is that under which Chinese immigration was protected until that article was modified by subsequent conventions, and from its importance I quote it at length. It is as follows: "Citizens of the United States visiting or residing in China shall enjoy the same privileges, immunities, or exemptions in respect to travel or residence as may there be enjoyed by the citizens or subjects of the most favored nation; and reciprocally, Chinese subjects visiting or residing in the United States shall enjoy the same privileges, immunities, and exemptions in respect to travel or residence as may there be enjoyed by the citizens or subjects of the most favored nation. But nothing herein contained shall be held to confer naturalization upon the citizens of the United States in China, nor upon the citizens of China in the United States." The effect of this is plain when we reflect that China grants to the most favored nation simply the right to reside and trade in certain specified localities, seven in number, while the United States grants to its most favored nation the right of access for travel, trade, or permanent residence in any part of our country without restriction. Article VII. provides for reciprocity in the matter of schools; American citizens to be at liberty to enjoy the privileges of the public educational institutions under the control of the government of China, and Chinese citizens to be at liberty

to enjoy the like privileges in the United States. By this article also, "citizens of the United States may freely establish and maintain schools within the Empire of China at those places where foreigners are by treaty permitted to reside." In return for this it is provided that "Chinese subjects may enjoy the same privileges and immunities in the United States." In other words, in the seventh article as in the sixth, the dozen treaty ports, more or less, of China, are set off against the whole extent of the United States.

As Article VI. was a triumph in behalf of the Chinese people as relates to this country, so Article VIII. was a triumph for them at home. This article was a clear and formal waiver on our part of the claims which our envoys, both before and since, have made to interfere in the internal affairs of the empire. For although this was right and proper in itself, it was none the less an evidence of weakness, as contradicting our own pretensions, and of undue solicitude for the welfare of China while neglecting our own. In the exact words of the treaty, "the United States do hereby freely disclaim and disavow any intention or right to intervene in the domestic administration of China in regard to the construction of railroads, telegraphs, or other material internal improvements." To render this still more potent and definite, His Majesty the Emperor of China "reserves to himself the right to decide the time and manner and circumstances of introducing such improvements within his dominions," but the genuflections of our government went still lower, for, to again quote from the treaty, it was "agreed by the contracting parties that if at any time hereafter His Imperial Majesty shall determine to construct or cause to be constructed works of the character mentioned, within the empire, and shall make application to the United States, or any other western power, for facilities to carry out that policy, the United States will in that case designate and authorize suitable engineers to be

employed by the Chinese Government, and will recommend to other nations an equal compliance with such application." By this we are bound to supply on demand teachers in engineering to the Chinese Government, and are also obligated to become their humble advocates in urging their requests upon the cabinets of Europe.

In these seven articles is comprised the whole of the Burlingame treaty. It is composed of these seven articles and no more. Not one of these articles has ever brought, or is capable of ever bringing, any advantage to this country in return for the concessions to China. Yet it was this treaty which was ratified by our government and hailed by a large portion of our people with an affluence of delight as inaugurating a new era of peace and good-will to men. Never was human folly more thoroughly exemplified, and never has it been punished more speedily or with greater bitterness. It is twenty years since the ratification of the Burlingame treaty, and to-day on our Pacific coast the Mongol is stronger than we, and in the eastern portion of our country his advent adds a new element to the intricate problems of our restless society and lays a new burden on the already overweighted shoulders of the producing classes. That an international contract, in which the advantages are all on one side and all the disadvantages on the other—in which no equivalent is rendered for benefits offered or inconveniences endured—can be morally or equitably binding, is a proposition absurd upon its face.

XXXIV.

CHINA HAS HERSELF FAILED TO FULFIL ITS CONDITIONS, AND THE TREATY, ON ACCEPTED PRINCIPLES, IS VOIDABLE THEREBY.

THERE is, moreover, another solution of the question of right, which should satisfy even those who, deeming equity insufficient and expediency a thing of evil growth, contend

for legal forms as the embodiment of justice. It is an axiom of all law that where a contract is broken by one of the parties thereto it cannot be held to be obligatory on the other. Grotius authoritatively declares that "every article of a treaty carries with it a condition, by the non-performance of which the treaty is wholly cancelled," and Vattel enforces the same idea in the following words. "The party who is offended or injured in those particulars which constitute the basis of the treaty is at liberty to choose the alternative of either compelling a faithless ally to fulfil his engagements or of declaring the treaty dissolved by his violation of it." The principle indeed cannot be controverted, for were it otherwise one party flagrantly violating an international compact could still compel another to fulfil pledges given in consideration of the very pledges flagitiously broken.

This is precisely the condition of affairs with reference to the Burlingame treaty. Under the fifth article the contracting powers agreed to pass laws making it a penal offence for a "citizen of the United States to take Chinese subjects either to the United States or to any other foreign country, or for a Chinese subject or citizen of the United States to take citizens of the United States to China or to any other foreign country, without their free and voluntary consent respectively." The United States has kept its part of this compact by sections 2158 to 2164 inclusive of the Revised Statutes, the provisions of which are positive in their terms and almost extreme in their penalties. China, however, has utterly neglected to make such a law or to take any effective steps to prevent emigration, under duress, of her subjects.

It has been already shown that in California the Chinamen are held under the despotic control of the Six Companies, and it is beyond dispute that the companies obtain their immigrants through a process of sale which amounts to nothing more or less than an infraction of the treaty.

With characteristic cunning and far-sightedness the Chinese place the barracoons of coolies within the territories allotted to foreigners. They were at one time located in Hong-Kong, which is under British control ; but when the outrage became too manifest they were removed to the Portuguese territory of Macao. To prove in any individual instance that a Chinaman passed from the Chinese population of Canton to the Chinese population of Hong-Kong or Macao, is, of course, practically impossible, although the fact that such is the case with the thousands thus transferred is demonstrated by the very existence of the barracoons. Further, although the passage of Chinese subjects to territories controlled by Europeans is a matter with which the United States can have no legal concern, and in which by international law it is prevented from interfering, the obligation assumed by China is not qualified by any exception, and so far as her own action is concerned is as obligatory as if Hong-Kong and Macao did not exist. The fact that the Chinese Government has not thought proper to contribute even the empty form of an edict to the observance of the treaty is a practical repudiation of its provisions. Renounced by China that treaty is not binding upon the United States. Thus the strictest interpretation of law, as does all else, makes manifest the right of our government to avoid in its turn the disregarded compact. The duty, also, is clear, for except through Congressional action there is no remedy. The Burlingame treaty, in fact and substance, is an estoppel upon the full and free administration of our municipal affairs. It is true that China has rendered the treaty void ; true that its existence is a continual injury to this country. But without a declaration on the part of the political branch of the government, the States in their sovereign capacity find themselves powerless ; and the Federal courts, in considering the treaty as a law, take no cognizance of the truth however manifest. Thus the action of State governments

has been repeatedly made impotent and useless by Federal decisions founded upon a treaty nullified by non-performance on the part of the very power in behalf of whose subjects it has been invoked.

XXXV.

INCEPTION OF THE BURLINGAME TREATY; ITS RATIFICATION AND ATTENDANT CIRCUMSTANCES.

THAT the Burlingame Treaty was "conceived in sin and brought forth in iniquity" is apparent when we consider the manner, and the attendant circumstances, of its production. Concerning these, while much data is available, much also is hidden in an obscurity which may never be dispelled. At the time that the proceedings were the subject of the most grandiloquent phrases their details were kept in the background, and the superabundance of gush hid the sordid mechanism of cupidity and intrigue behind it. There is sufficient, however, in affairs of record to clearly illuminate the subject though it be in part only by necessary implication.

So far as concerns the published record it opens with Burlingame's written resignation of his office as envoy, etc., of the United States near the Emperor of China. It is couched in the bombastic terms of a dime novel, is dated Pekin, November 21, 1867, is addressed to the Secretary of State, at Washington, and is as follows:

"SIR: In the interest of my country and civilization, I do hereby resign my commission as Envoy Extraordinary and Minister Plenipotentiary from the United States to China."

On the day that was written, with, so far as appears, no acceptance of his resignation, he turned over the archives of the legation to a subordinate, and also, on the same day, announced his resignation to Prince Kung, the acting head of

the Chinese Government. Three weeks and two days later he addressed a letter from Shanghai to the Secretary of State, which opened with these words: "You will have learned from my telegram from Pekin of my appointment by the Chinese Government as 'envoy' to the treaty powers and of my acceptance of the same," and then proceeds to say that the suggestion of such appointment was first made at a farewell dinner given in pursuance of his retirement from the position of American Minister, and that he "repulsed the suggestion playfully." Afterwards, he says, the suggestion was seriously made through the suggestion of the Secretary of the British legation, and thereafter the "position was formally tendered," and he determined "in the interests of civilization and his country"—he repeats the phrase—to accept. He further says that "Two Chinese gentlemen," whom he names, "of the highest rank were selected from the foreign office to conduct the Chinese correspondence, and as learners"(?) gives the names of two secretaries, and says that his suite "will number about thirty persons." The letter concludes with the words, "Permit me to request the government most earnestly not to name my successor until I can give it information which may be useful in making a selection." We have in this letter the assertion, evidently made for the public ear, that nothing of the kind had been thought of until after Burlingame's resignation on November 21, together with an astounding statement that the Chinese Government had reached the resolution of taking the new departure implied in sending an ambassador to the treaty powers, had selected the ambassador, had obtained his sanction and acceptance of the position, had appointed his associates, chosen the first and second secretaries and settled the number of his attendants, all within the space of twenty-three days after the date of his resignation, and all this in a government and with a court which in all its official actions proceeds with the extreme of deliberation and caution.

That the averments of that letter were essentially untrue goes without saying. Only an infantile innocence of the ways of diplomacy could afford a credulous moment for belief in its statements. But the suggestive portion of the document is found in its final paragraph, already quoted. We have the spectacle not only of an American Minister resigning his place as such to immediately accept a like but more highly priced position under a foreign government, not only an American returning to his own country as the paid servant of another, but we behold him asking the government of the United States to permit him to advise it as to its selection of an envoy to fill the place he deserted. The hardihood of this could have been prompted by nothing less than the influence of agencies of which no sign appears in the published record. It is not conceivable that all the communications from Burlingame, and from the American legation after he left it, should have remained unanswered. In the whole of the one hundred and twelve pages of "diplomatic correspondence" devoted to this and other affairs with China in that year, there is no word or line from the State Department to Burlingame, or to the American legation in China, relating to the resignation of Burlingame, or to the inception and culmination of the proceedings through which he became ambassador for China. Whatever the agency of the Department of State may have been, the evidence thereof is suppressed. Doubtless it may be found in the archives; but these are secret, inaccessible, and practically past finding out.

If the silence of the volumes on foreign affairs imports the methods of the dark lantern, the antecedents of the person who served in the double capacity of Chinese envoy and of adviser to the American State Department, of his Caucasian associates, and of the functionaries who were placed in charge of American interests in China, are also noteworthy in this connection. The first secretary of the Chinese embassy, with Burlingame at its head, was the

"Chinese secretary of the British legation," and the second was a French gentleman who had been somewhat familiar with Chinese affairs. It was through these and two Chinese officials "to conduct the Chinese correspondence" that Mr. Burlingame was expected in his capacity of a Chinese ambassador to advise the Government of the United States for its own welfare. Meanwhile the American legation at Pekin was left in charge of a person who had graduated into diplomatic life from the position of Chinese interpreter to the British consulate, and who, year in and year out, was the advocate of Chinese immigration to the United States, and of foreign aggression upon China.

In the same year, a "Commissioner of agriculture from the United States to China" was appointed, and it appears that he was permitted to join private adventure with official duty. A company had obtained a charter from the Mexican Government to colonize lands in Lower California, and the agricultural commissioner to China accepted an agency to obtain ten thousand Chinamen to locate in that region; of this scheme Mr. Burlingame expressed his "cordial approbation." Such were the circumstances under which the Burlingame policy was initiated, and such were the men through whom the potent influences within the State Department gave a new impetus to Chinese immigration to the Pacific coast, in utter defiance of the fact that even then the whole policy of the Pacific States, in their constitutions, laws and general expression of public opinion, had declared such immigration to be not merely a nuisance but a scourge.

Under such circumstances and with the assurance of such agents the new treaty was a foregone conclusion from the moment that Burlingame was appointed a Chinese envoy. That the objects and methods of his mission were well understood before he left China there can be no doubt. There is no reason to suppose that he meditated any treachery to his Chinese employer or to the special financial interests,

if such there were, whose benefit was contemplated by the proposed action. But the care with which two Chinese officials of high rank were associated with him, and the fact that, although he was the nominal head of the embassy, there is nothing to make it appear that he could act without their consent, show that he was held well under control by the authorities at Pekin. With the assurance of a treaty, such as a few months later was entered into, the inducements to Chinese immigration to the Pacific coast were greatly increased ; and in one of the letters from the Secretary of State to the American legation in China it is set forth that the ratification of the treaty would insure greater protection to the Chinese in this country, that Chinese consuls could be placed at our ports, and the Chinese Government be enabled to more fully bring the attention of our Department of State to any alleged aggressions upon Chinese immigrants.

XXXVI.

THE TREATY GAVE A FORCED STIMULUS TO CHINESE IMMIGRATION ; THE BENEFICIARIES THEREOF.

It is not to be supposed that the proceedings inherent in the production of the treaty were a matter of spontaneous generation, or that it sprang up like a mushroom by the wild bounty of nature. But the interests, whatever they were, which were held in view throughout the whole affair, and the forces which engineered it throughout, can only be inferred by the process colloquially known as "putting this and that together." Two great corporations appear to have been the most immediate and the chief beneficiaries of the results that followed the project for, and the ratification of, that treaty of 1868. The one constructed its railroad with Chinese labor, the other controlled the passenger traffic between Hong-Kong and San Francisco and transported the Chinese by tens of thousands to the Pacific coast. As

concerns the building of the Pacific roads, it has been asserted that the work could not have been completed without the Chinese. Such an averment is utterly without foundation in fact, as will appear upon slight reflection.

The road was constructed for the most part by ten thousand Chinese, imported *en bloc*.

The work would assuredly have been, at the least, quite as well performed by the same number of Caucasian laborers. During the war which had ended some four years previously, manual labor in the Northern and Western States had been superseded by machinery to such an extent that the conditions of every industry, and especially of agriculture, were radically changed and ameliorated. For example, where in the year 1860 there had been one mowing machine at work in the meadows of the North or one harvester in its grain fields, there were, in 1865, at least a hundred. And in the latter year a million of able-bodied men had returned from the battle-field to the vocations of peaceful life. The cost of transcontinental lines had been properly estimated upon the basis of then current wages in this country, and in face of this it is mere hardihood to assert that ten thousand men at the wages commonly paid at that time throughout the country could not have been obtained to complete the Pacific roads; for ten thousand men would have been about two per cent. of the number released from the requirements of war, and added to the resources of the industries of peace. That it would have diminished the millions that passed into the possession of those interested in the construction of the road may be admitted, but it could not have diminished even those profits to an extent below a fair remuneration for the business ability, the courage, and the risk that undoubtedly were exhibited in the undertaking. Had the evil of the importation of Chinese labor ceased with the aggrandizement of these, the matter would have been of relatively infinitesimal moment. But the evils, as we have seen, broad-

ened and deepened throughout the Pacific region and have increased in rapid ratio from that time to the present.

Even as concerns the Chinese in their own country, the direct consequence of the artificial impulse given to the importation of Chinese laborers was in many respects no less than an an unmitigated wrong. From the poverty of the class from among whom the immigrants were of necessity taken, few had themselves the means to pay their passage across the ocean. Thus it was that when the runners and the agents of the would-be employers of Chinese in this country scattered their promises throughout the clustering villages in the region around and beyond Canton, the coolie mortgaged his wife and children at exorbitant rates of interest to raise the money for his journey; and when for any reason he failed to repay at the stated time, his family was torn asunder, the male children sold for slaves and the wife and daughters for baser uses. Such was one of the incidental results of the unnatural and forced impetus given to Chinese immigration consequent upon the inception and adoption of the Burlingame treaty.

In that convention are comprised substantially our present treaty relations with China. For, as I have before remarked the modifications introduced by the treaty of 1882 have no other practical value than that of respecting the *amour propre* of the Chinese Government, a result which, on general principles of international comity, is not to be undervalued except it be secured at too great a cost. If it is feasible to avoid wounding the susceptibilities of China without hindrance to measures required for our own protection, assuredly no objection can reasonably be had thereto. But it is far from clear that the astuteness of Chinese diplomacy has not overreached our own; for while the Burlingame treaty referred to the "privileges" of the Chinese in the United States, that of 1882 added the word "rights," which is certainly a much more comprehensive and significant term. In that, as in many another matter

of diplomacy, the acuteness of the Chinese intellect has been more than a match for that of the Caucasian.

To the Acts of Congress of 1882 and of 1884 it is not necessary to more than allude. They are worthless except as indicating the development of public opinion and its awakening to the necessities of the time. The project of a new treaty with China has proved a nullity, as the additions made by the Senate, through which alone actual effect could be given to its purpose, have caused its rejection by the Chinese. This, it is said, is due to British influence at Pekin; a further evidence of the actual antagonism between British interests and our own. The treaty, with the proposed legislation in furtherance thereof, contained, at the best, provisions which would have afforded many open opportunities for fraud, which would have caused its object in a great measure to be defeated. Like all merely palliative measures it would have been a weak and inefficient instrument for the end desired. Relief from the Chinese scourge can only be obtained through our own efforts, and the agencies of our own government. The prohibitory act now before Congress has greater promise than any measure heretofore proposed. But it has the radical defect of seeking but a partial remedy. Far more radical measures will need to be taken, not only to prevent the incoming of the Chinese, but to lessen, if not to wholly eliminate, the number already here.

XXXVII.

MEASURES REQUISITE TO MEET AND SUPPRESS THE INVASION OF THE CHINESE.

THERE is no safety save in sweeping away the whole web of absurd treaty provisions which a reprehensible policy has created and permitted to exist in defiance of the in-

terests and rights of our people ; and this, to be effective, must be supplemented by the adoption and enforcement of measures which will not only put an end to Chinese immigration but sooner or later remove the Chinese now in the country. Without this course there can be no suppression of the Chinese scourge, no actual limitation to its extent ; and to expect relief through any other course will be the acme of human folly.

Not only is such a course demanded by the necessities of the case, and within the sovereign powers of our government, but it is one against which China can have no right nor reason to protest. Apart from the grounds to which I have already referred, the fact that China herself has set the example in more than one instance of expelling by tens and even hundreds of thousands, foreigners inimical to her interests, should close the lips of her statesmen when like measures for like reasons are taken by other countries. At intervals through centuries China has exercised her sovereign right and prerogative not only to expel but to slaughter those who, from the peoples of the west, have settled within her borders. As I have remarked in a preceding portion of this work, she massacred, a thousand years ago, a hundred and twenty thousand foreigners who had settled in her seaport cities ; and at intervals, upon a larger or smaller scale, the same action has been repeated. China, above all other nations of the earth, has exercised her sovereignty to exclude foreigners whenever for any reason it has pleased her to do so ; and neither the lives or the property of Caucasians, for generations at a time, have been safe within her borders. In 1723, all Christian missionaries were driven from their places, their three hundred churches destroyed or applied to ignoble purposes, and their flocks, numbering three hundred thousand people, were scattered. Thirteen years later the same thing recurred, "churches were plundered and property confiscated," and many of the Christians were put to the torture ; and nearly a century

later the government of China repeated the procedure by strangling the chief men among the Christians, and subjecting others to life-long torment with the *cangue*. And all this, be it borne in mind, was not the irresponsible action of a mob, but the carrying into effect of a governmental policy, traditional in its character and deliberately put in force. If every Chinaman in the United States were wantonly shot and his dwelling burned above his head by act of Congress or executive order, precedent after precedent could be found in the history of China, and she would need to stand mute in the light of her own record. It is the tenderness born of the Christianity that China has spurned that restrains the exercise of measures which she, under far less provocation, has time and again used without mercy.

But no course necessary in the exclusion and expulsion of the Chinese need work undue hardship to them. The first requisite is, of course, the prevention of any addition to the Chinese population already here, and the prevention of the return of any who leave the country. The former would prevent any further ingress, the latter—in view of the practice of the Chinese in returning to their own homes after having acquired property—would tend directly to diminish their number here. Both of these were provided for, I understand, in the treaty of the present year entered into between the Chinese envoy and the State Department, but since rejected. The exact provisions of this, however, appear to be as yet inaccessible, and without disrespect to our officials it may be safely said that our former experience in diplomacy with China leaves but little margin for expectation than any treaty will be more than a platitude. If, however, the provisions referred to had been accepted in due form there would still have remained the need of legislation to carry them into effect ; and beyond this the task of executing the laws themselves. There is but little doubt that China, if so dis-

posed, could do much toward preventing the emigration of her subjects by the simple expedient of putting an end to the stimulating methods in use. But there would still remain the fact that the emigration starts from the port of Hong-Kong, which is under British and not at all under Chinese control. For the most part the effective means of preventing the incoming of the Chinese must consist in vigilance upon our own borders, not only at the ports of entry, but especially along the whole Pacific coast and the northern and southern boundaries west of the Rocky Mountains. At the present time the only obstacle to the immigration of the Chinese to the British dominions is a head tax of fifty dollars, and strong corporate influences are at work in Canada to secure the repeal of this. There is now practically no obstacle to the passage of the Chinese from British Columbia into our adjoining territory and thence to all portions of the United States. Should Chinese be landed upon the Pacific coast of Mexico they would similarly find easy ingress to the country. Once mingled with their fellows already here they are undistinguishable, and the same increase in their number which is now going on will continue unchecked to the extent to which they may be able to evade the law along thousands of miles of frontier. For this reason a domestic police system with reference to them must be necessary in addition to any measures which may be taken to prevent their coming.

The record of every Chinaman at home is kept with care by duly constituted authorities. The course of his wanderings is recorded in like manner through agencies peculiar to his race and nationality. But so far as concerns the enforcement of American law neither of these are available. The individual Chinaman, once in the country, is an unknown element of the alien mass to which he belongs, and whether he has entered legally or illegally is practically unascertainable. With the strict enforcement of anti-immigration legislation should be combined an equally

strict registry of the Chinese in the localities which they inhabit ; and absence of registration should insure vigorous punishment, followed by prompt expulsion. Nothing less thorough than this will be found effective to practically secure the object sought by restrictive measures.

Nor is there any objection, practical or theoretical, to the propriety and utility of such a remedy. Were every Chinaman in the country compelled to register himself, his residence, his occupation, and his removal from place to place, the detection of those who enter the country illegally would be comparatively easy. In such case each Chinaman would, of course, need to be provided with a certificate guarded by due provision against transfer from one to another, the possession of which would be evidence of his privilege to remain in the country. The absence of such a certificate would in like manner be sufficient reason for sending him out of the country. There is nothing impracticable in the carrying out of such a system, for it would be but the application to the Chinese of laws that are enforced in the countries of Continental Europe with reference to large portions of their own population. It would, in fact, be merely the application to the Chinese in this country of the same method of registration and identification to which, as just remarked, they are subject at home. No necessity exists, nor, probably, ever can exist, for the application of such a system to any portion of our own people, but it is an absolute necessity that something of the kind should be applied as a means of insuring the operation of laws intended to prevent the illicit admission of Chinese and to diminish their number among us. Were this method thoroughly persisted in and effectually carried into effect a rapid diminution of the Chinese population would undoubtedly result, though there would still exist the need of severer measures to secure their final expulsion.

If it be possible upon such a plan to secure their elimi*nation, it* will have the *quasi* merit of avoiding even the

appearance of harshness, and of preventing individual hardship. The Chinaman entering the country in defiance of the law would certainly have no just cause of complaint if the law discovered him, punished him, and sent him away. By the same token the Chinaman who would leave the country knowing that the law forbade his return, could hardly complain if the law held to its word and kept him from coming again. Concerning the Chinaman who is already here and prefers to remain, even his ultimate elimination should be regarded as a result to be sought by legislation, affording reasonable time for the disposal of property and settlement of business affairs. But a registry and surveillance of our Chinese population, as strict as that which France and Germany exercises with regard to strangers, as thorough as that to which China subjects her own people, is indispensable to the discovery of those who evade or attempt to evade the law. Whatever the course adopted, the time for its adoption can not be postponed without constantly accumulating harm. The work and the uses of statecraft, and of diplomacy, are to prevent the aggrandizement of evils until they reach the stage at which they must be either removed by violent means or be submitted to as unavoidable and irreparable wrongs: it is not in our race or in our people to do the latter: it is for the statesmen, the jurists, and diplomatists of the present to see to it that the former shall not be required.

I have thus far spoken of the exclusion of the Chinese with the prospect in view that the Government of China may prove recalcitrant to a proper determination on the part of our people and government to apply to her the same principle of exclusion which she, for so many ages, applied to foreigners in her own behalf. A rumor—it is scarcely more, though made the subject of telegraphic transmission—that China is to recall, within the next three years, her people from Australia with an intent of hostilities with Great Britain, furnishes, however, a hint of what

would secure an even more speedy and effective removal of the Chinese from our territory. That the ruler of China has the power to direct the return of every Chinaman to his home in his own country is beyond gainsaying. That the mass of the Chinese would have no idea of disobedience is undeniable. And that recusants could be severely dealt with through the manifold ramifications of Chinese authority exerted through the Six Companies and other agencies is almost equally indisputable. If such return can be enforced as a preliminary to war with a European nation, it may also in the interests of peace, and as an element in a broader and juster policy between our own country and China. It should be offset by a total withdrawal on our part from the aggressive schemes and brutal diplomacy of Europeans concerning China, and by the rendering in her behalf of at least a moral support in her defense of her own territory, her ancient usages and laws, her peculiar institutions, and her policy of isolation from the social, political, industrial, and commercial complications of other countries. Such a dream of peace and justice appears to be, and probably is, Utopian to the last degree, but its realization affords the sole escape from the alternative of the exclusion and expulsion, more or less forcible, of the Chinese, or the subjugation of the land by their gradually increasing hordes.

XXXVIII.

QUASI SENTIMENTALITY AND INACCURATE AVERMENTS OF PRO-CHINESE ADVOCACY.

As I draw toward the conclusion of this examination of our relations with China, it may be proper to speak somewhat of the objections made to the repeal of the Burlingame convention and its adjuncts by the advocates of the *present state of* affairs. Few of these merit sober discus-

sion; and many, were it not for the grave import of the subject, might well call for mirthful derision. For example, it is urged that we should not cancel the treaty inasmuch as it was forced upon China; as if a blunder or a crime committed must be persisted in while the evil of it broadens and deepens until remedy becomes impossible. We are told that Chinese labor "in our fields and shops will certainly benefit our industry," despite the teaching of nearly forty years to the contrary. We are informed, in sentimental phrase, that "if the higher civilization and Christian energy of the American people of California can not devise means to remove the ignorance, abate the prejudices, and enlighten the paganism of those thus brought to their doors, it is weak indeed." The sentimentalist, being unmindful of the historic truth that the higher civilization which necessitates comfort and luxury of life, inevitably goes to the wall when brought in competition with the lower civilization which asks for none of these; and heedless also of the further truth that the real object of our Christian energy should be to retain our country for the Christian civilization of our own and kindred peoples, and not to convert it into a colossal remedial institution for the eradication of the moral deficiencies of a race so utterly distinct that its fusion with the Caucasian is impossible.

Proceeding in the same strain, it is gravely pleaded that our law should be "formulated in Chinese" for the benefit of the immigrants, "and that direct oversight by responsible officers [should be] maintained over this alien population, which it is the duty of a government to do;" which would require the addition to our government of a special eleemosynary department. We are also to "prevent the extension of opium-smoking among them," but are not informed how this very desirable object is to be achieved, the penalty of death having been insufficient to restrain the Celestials from this vice in their own country. We are to "learn thoroughly the working of their companies and

guilds," but are left in darkness as to the *modus operandi* of so doing, and necessarily so, for these companies and guilds have a secrecy as deep as that of any secret societies in the world: these associations being one of the means by which Chinese competition with the white races is advanced and strengthened. We are to "encourage them to bring their families," but as the advocate of this "encouragement" sets forth in another part of his statement (I am quoting from an official report) that "Chinese women refuse to go anywhere," it is difficult to perceive in what way the encouraging process could bring forth any tangible result.

It is also said that we are to "inform them upon whatever will help them to become better," and this is proposed to be accomplished by "educating a number of Americans in the Chinese language for official interpreters and translators;" in other words, through the agency of a legion of pensionaries of the government. I would not have referred to this spur of the subject in so long a paragraph were it not that the sentences quoted are fair illustrations of what passes for reasoning in the pro-Chinese mind. They are taken word for word from the public document, *Foreign Relations of the United States*, for the year 1876. Their author was a member of the United States Legation at Pekin. It may perhaps be worth while to quote still further from the document from which these extracts are taken. It ascribes the inflow of Chinese in California to "the Providence of God," forgetful that it had its beginning, as we have had occasion to note, in brutal aggressions of which we were quick to take advantage and in which to no small extent we shared, upon a power that had never harmed us, and that it has reached its present proportions because we have recklessly left open the gateways of our own land while wantonly reaching forth to spoil the possessions of another.

One further comment on this encomiast of Chinese invasion. He asserts that the repeal of the treaty "would have

little or no effect upon the emigration," and that "the imperial government can no more control the movements of its subjects or keep them within its territory than the President can restrain those of our citizens." This is on page 67 of the volume referred to, and is dated Pekin, June 30, 1876. On page 48, under date of March 21 of the same year, another official, the American Minister, writing from Hong-Kong concerning the treaty concluded six weeks earlier between China and Peru, states that "the great object of Peru in procuring a treaty was to promote Chinese immigration; this had been virtually stopped by the action taken at Macao, here in Hong-Kong, and by the Chinese authorities." It is, moreover, a matter of the commonest historic notoriety that for ages the emperor had, and exercised, the power of preventing emigration, wherever the traditional policy of the country seemed to require it, and that power still continues within the territory of China. The assertion that the despotic ruler of China, whose will is law throughout his vast dominions, has no greater power than the president of a constitutional republic, calls for no remark.

Of no greater weight as reasons, but from their origin and occasion requiring more serious consideration, are the allegations of the Executive who vetoed the bill passed by Congress in February, 1879. These compose the stock arguments of pro-Chinese advocates, and may therefore be properly considered here.

The bill, as presented to the Executive, forbade the transport of more than fifteen Chinese on any one vessel entering the ports of the United States, and it also directly repealed articles V. and VI. of the Burlingame Treaty. This repeal was designed to take effect through the action enjoined on the Executive. Omitting reference to the platitudes which have no practical bearing upon the question, it is sufficient to consider that the veto turned upon an implied denial of the right of Congress to act in the premises.

The words of the veto on this head are as follows: "The authority of Congress to terminate a treaty with a foreign power by expressing the will of the nation to no longer adhere to it is as free from controversy under our constitution as is the further proposition that the power of making new treaties, or modifying existing treaties, is not allotted by the constitution in Congress, but in the President by and with the advice of the Senate, as shown by the concurrence of two-thirds of that body." The meaning of this is hardly clear; it first admits the authority of Congress "to terminate a treaty with a foreign power," and then sets forth, if it has any meaning at all, that Congress can not terminate two articles of that treaty. In other words, the somewhat anomalous idea is advanced that while Congress can abrogate an entire treaty, it can not abrogate a part of it. I venture to say that there is nowhere in the jurisprudence of the civilized world a single decision of any court or a single opinion of any recognized publicist by which this proposition can be claimed to be endorsed. Its fallacy is shown by the decisions of our own courts, hereinbefore previously referred to, for in regard to the treaty with Russia the right of Congress to annul the provision relating to the duties on Russian products was fully and absolutely sustained. The then President in his veto appears to have been quite unfamiliar with these decisions. He refers to the act of Congress in 1798 concerning the French treaty in a manner that clearly indicates this to be the only case bearing upon the subject to which his attention had been called; and even as concerns this, exception may be justly taken to the interpretation which he has placed upon it.

This veto, however, indicated a meaning deeper than is borne upon its face, and one that has been accentuated by the tenor and tendencies of the judicial decisions on the Pacific Coast to which I have hereinbefore referred. It is that the action of the popular branch of the government may be ignored even in municipal affairs by the treaty-making

power ; and that in certain contingencies affecting the internal administration of the country, the President may defy both houses of Congress together. Nothing more subversive of the structure of our government or the genius of our institutions can be conceived. Under cover of a treaty once concluded the Executive could block the way to change, however necessary, provided only that the requisite action should be the repeal of some, but not all, of the articles. A new treaty can not be concluded without the consent of the President, and if a part of a treaty can only be repealed by such new treaty it would follow that Congress and the people would be powerless under the will of an obstinate master, and the authority of Congress as a coördinate branch of the government would in such cases be utterly destroyed. It is not necessary to argue that in this country it has never been intended that such power should be asserted or wielded by the Executive.

There is another, though by comparison a minor error, in that veto ; an error so palpable that it may well have been an effort to mislead rather than a statement made in sincere belief. It carries the idea throughout, although not in express terms, that the passage of the bill would have operated to destroy all our treaty relations with China. But such would not have been the legal result. Our three treaties with China, that of 1844, that of 1858, and that of 1868, were separate treaties, although successive in their ratification, and the later comfirmatory of those preceding. It is almost a truism in public law that where two or more treaties exist between nations the abrogation of one does not necessarily involve that of the other, although it may be made the pretext of formally renouncing the other. In the words of Vattel, "when there exists between allies two or more treaties different from and independent of each other, the violation of one of those treaties does not directly disengage the injured party from the obligation she has contracted in the others ; for the

promises contained in these do not include those contained in the violated treaty." Even from the standpoint of Mr. Hayes, who wholly ignored the fact that China has abrogated the Burlingame treaty by neglect or refusal to carry out one of its essential provisions, the formal annihilation of that treaty would not necessarily work the forfeiture of the two preceding. To state the principle more briefly; while the infraction of one article of a specific treaty is held under the code of nations to release the opposite party from all the provisions of that particular treaty, the abrogation of one treaty does not render other and distinct treaties void, but at the most they are only made voidable.

In view of the utter fallacy of the pro-Chinese advocacy, it may be asked with a semblance of reason, why has our government touched the subject so delicately? and why has its action, when it has been forced to action, been so adverse to the bitter cry from the Pacific Coast? The query admits of a double answer. It may be assumed, without violation of probabilities, that the same agencies which have so sedulously cultivated a deceived and deceptive public opinion at the East in favor of the Chinese, have worked with no less effort and success to secure influence at the centres of legislative and administrative control.

There is, however, another explanation, which, at first view may seem less worthy of credence, but which shows strong claims to belief in the relative attitudes of the United States and China, and the official utterances which, unless they be taken as meaningless, cannot be held devoid of timorous expression on the one hand and sinister intent on the other. The veto of the Executive, before adverted to, speaks vaguely of dangers that might accrue from rescinding the treaty. The American Minister to China, in writing of the possibility of its repeal asks, "Would it not, indeed, imperil all our relations with the Empire?" Not all of official reports or international communications are published in the "Diplomatic Correspondence" or "Foreign

Relations." The State Department retains in its secret archives whatever either a far-sighted or a time-serving policy may seem to require : what actual utterances of the Chinese Government may have been communicated to our own, or to what stress they may have subjected our foreign policy, can not at this time be fully learned. But even with that which is open to the public, the strong, clear postulates and decisive demands of the Chinese Central Authority are manifest. Said Feng Taoti, twelve years ago, to Bradford, American Consul-general at Shanghai : "Steamers, guns, and small-arms, the products of the west, the Chinese can make for themselves." Two months later Prince Kung, Minister of Foreign Affairs, hardly veiled a threat under the forms of diplomatic courtesy in addressing the American envoy concerning an alleged assault upon some Chinese coolies landing at San Francisco. He characterized in invidious terms a portion of the population of California and "their purpose of interfering with Chinese immigration," and requested "the suppression of such acts, in order to the maintenance of friendship between the two nations." The full meaning of these words is only apparent when we reflect upon the studied avoidance of exaggerated language which forms the first lesson in the training of the diplomat, and in which the Chinese are no less adepts than are the statesmen of other nations. Nor can we find the menace without meaning when we recall again that China is stronger on the Pacific Coast in men capable of bearing arms than ourselves, and that she can transport ten warriors from the middle of the kingdom to San Francisco at less expense than the United States can convey a single soldier and his knapsack from Chicago to the Coast ; that she can send vessels with stronger armor and heavier guns to breach the walls of Alcatraz than we could provide for defense, and could send them in shorter time. Fear then, and its corollary, a futile expediency, not less than pressure from the classes that profit from Chinese

cheap labor, may lie at the basis of our temporizing policy with China ; a policy that drags and dawdles and sentimentalizes ; that sends vain embassies abroad to talk, while at home it operates to destroy the control of our own people over our own country, our own institutions, and the direction of our own future.

XXXIX.

ONE COURSE, AND ONE ONLY, CAN STAY THE EASTWARD MIGRATION OF THE YELLOW RACE, AND ITS GRADUAL CONQUEST OF THE LAND.

WHATEVER the causes of this policy, it has lasted far too long. The conflict is upon us. It can not be evaded or repressed. Each year of delay renders its labor more arduous and its dangers more great. It has been approaching through unconscious ages, for it is the latest result of the advance in opposite directions of two great peoples, because of a destiny forced upon them by the configuration of the earth. The fruitful alluvial of China lay within boundaries that isolated her from the rest of the world ; and here, separate from other races, her people increased and flourished and grew strong. Meanwhile the hardy populations of Northern Asia outgrew the food supply of their comparatively sterile regions, and precipitated themselves with futile valor upon the laborious, patient, brave and enduring denizens of the Central Kingdom. Driven back from the fertile plains at the southward, hindered by the sea to the east, repulsed at the north by the barrenness of Arctic solitudes, their only outlet lay westward over the comparatively low-lying regions where were traced the pathways of the caravans that carried to the countries of the Caspian the slender traffic of the remotest East. Displacing Goth and Alan and Vandal, they urged these onward to new migrations which, in their turn, im*pelled the* German toward the Atlantic. This, the sec-

ondary result of Chinese power, gave a westward movement to strong and hardy peoples whose successive invasions changed the face of civilization from the borders of Persia to the shores of Spain. The first waves of conquest were displaced by those that succeeded or were dissipated by fusion with the native populations, but through all the advance was toward the west ; in the nature of things there was no receding. And so in the vicissitudes of ages our progenitors framed the new structure of Europe, and developing from the rudest to the highest form of society, created the nations from which our own people directly sprang.

But the progress did not end with this. The conditions under which the Caucasian developed in Europe, after the fall of the Roman Empire, were parallel with none of those known to anterior peoples. They favored a growth of civic liberty, of earnest intellectual effort, and deep and intense emotional feeling, from which grew the complex relations and delicate adjustments of government, of law, of religion, of science, of arts and industries, which have elevated man to a higher semblance of the image of his Creator than was possible under the grosser forms of antecedent civilizations. Yet throughout all this lingered the tendency to reach still further toward the west. And after the venturous ships of Icelandic voyagers had crossed the sea, and the records of Iceland had told the tale to the Genoese, the way of the Caucasian was opened to the continent beyond. Then, not yet four centuries ago, our immediate ancestors, the descendants of the westward-moving hosts, came and possessed the land and left it, an inheritance, to us, their children.

And we, from the hamlets scattered along our Eastern coasts, have followed the instinct inherited through centuries and have pressed westward still, ardent, earnest, toiling, and victorious, until beyond prairie and buffalo plain, beyond alkaline desert and Nevadan forest, we have

planted our civilization and builded our cities upon the edge of the utmost ocean whose farther waves wash the shores of that China whose prowess gave its first impulse to the westward journey of our race. That journey is ended. We have completed our share of the circuit of the globe. And on our latest territory we are met by those same Chinese, driven toward the east, their only outlet, as we for ages have been toward the west. The two races have met, and one or the other must give way. The Chinese must recoil to his own land, or we must recede from ours. The two races, distinct as if drawn from different planets, compelled by geographical conditions to advance in opposite directions around the world are brought face to face. They will not mingle, they cannot fuse. The Pacific Coast at an early day, and our entire country at a remoter time, must be the inheritance of the Caucasian or it must be the heritage of the Chinese.

Blind and futile indeed is the policy that wavers when confronted with such an alternative. The question before us is a question of the migration of races; of the transplanting of nations. It can not be met too soon or too decisively, for every succeeding year of neglect renders the issue more doubtful. To express the truth in language plain and terse, if our Christian civilization, if our enlightenment, if our free forms of government, if our prosperity and power as a people, are to be preserved and perpetuated for ourselves and our children, then the Chinese must be expelled from our borders at any hazard, and at any cost.

FINIS.

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